

Closed Caption Log, Council Meeting, 10/07/04

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GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY PRIVILEGE AND HONOR TO WELCOME PASTOR B.J.E. McKEEN FROM SAINT STEVE PHYSICAL THERAPIES MISSIONARY BAPTIST CHURCH TO LEAD US IN OUR INVOCATION. PLEASE RISE.

TO THE HONORABLE MAYOR AND COUNCILMEMBERS, ALL WHO ARE PRESENT, I ASK THAT YOU JOIN ME IN PRAYER. SHALL WE PRAY? GRACIOUS GOD, OUR FATHER, YOU WHO ESTABLISH AND GRANT POWERS AND PRINCIPALITIES, WE COME TO THEE THIS MORNING ASKING YOUR PRESENCE, ASKING YOUR GUIDANCE, FOR THESE YOUR APPOINTED LEADERS. FOR THE CITY OF AUSTIN. WE ASK, LORD, THAT YOU WOULD MOVE AMONG THEM AND IN THEM INDIVIDUALLY, THAT, LORD, THEY WOULD REMEMBER THAT YOU ARE GOING TO CALL THEM INTO ACCOUNT OF THE DECISIONS THAT THEY HAVE MADE THROUGHOUT THEIR LIVES. AND, LORD, AS THEY NEGOTIATE ONE WITH ANOTHER AND WITH OTHERS WHO WILL BRING ISSUES BEFORE THEM, KEEP THEM AND HOLD THEM THAT THEY WILL NOT COMPROMISE THEIR PRINCIPALS. BUT THEY WILL STAY FIRM AND HOLD ON AND NOT GIVE IN. BLESS THEM THIS DAY, AND MAY, LORD, YOUR WILL BE DONE AND AS THEY MAKE DECISIONS, LORD, HELP THEM TO KNOW THAT THEY WILL INFLUENCE AND TOUCH OTHER CITIES AN PRINCIPALITIES, AND THEN, LORD, WE ASK THAT YOU WOULD SO MOVE AMONG THEM THAT THEY WILL REALIZE THAT THEIR DECISIONS WILL IMPACT ALL OF AUSTIN. NOT JUST THIS

COUNCIL. THANK YOU FOR THESE MEN AND WOMEN, KEEP THEM AS ONLY YOU CAN. THE NAME OF JESUS WE PRAY, AMEN.

THANK YOU, PASTOR. THERE BEING A QUORUM PRESENT AT THIS TIME, I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, OCTOBER 7th, 2004, APPROXIMATELY 10:15 A.M. WE ARE IN THE BOARD ROOM OF THE LCRA LOWER COLORADO RIVER AUTHORITY, HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD. THERE ARE A FEW CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. I WILL NOW READ THOSE INTO THE RECORD. PRETTY SIMPLE. ITEM NO. 2, HAS BEEN POSTPONED TO OCTOBER 21st, 2004. THIS IS REGARDING THE HOLLY STREET NEIGHBORHOOD. ITEMS 20 AND 21 HAVE BOTH BEEN WITHDRAWN. THESE WERE SIMPLY SETTING PUBLIC HEARINGS REGARDING DEVELOPMENT REGULATIONS, ITEMS 20 AND 21 HAVE BEEN WITHDRAWN. THOSE ARE ALL OF THE CHANGES AND CORRECTIONS TO THIS WEEK'S AGENDA. OUR TIME CERTAIN ITEMS TODAY, AT NOON, WE BREAK FOR OUR CITIZENS COMMUNICATION. AT 3:00, WE WILL HAVE OUR BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION AND WE HAVE ONE ITEM ON THAT AGENDA, AHFC 1. AT 3:30 WE HAVE A PRESENTATION ON AN ITEM FROM COUNCIL. ITEM FROM COUNCILMEMBER ALVAREZ AND THOMAS. IT SHOWS UP AS ITEM NO. 48 ON THIS WEEK'S AGENDA. AT 4:00 WE HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. ITEMS 30 THROUGH 33 AND ZONING CASES Z-1 THROUGH Z-11. I'LL ANNOUNCE NOW THAT THE STAFF -- STAFF WILL BE RECOMMENDING AND REQUESTING THAT WE POSTPONE ZONING CASES Z-1 THROUGH Z-8, THOSE RELATED TO THE RAINEY STREET ZONING. STAFF WILL BE REQUESTING THAT WE POSTPONE THOSE CASES TO OCTOBER 21st, 2004. AGAIN, TECHNICALLY THAT POSTPONEMENT, THOUGH, CAN'T OCCUR UNTIL OUR 4:00 POSTED TIME CERTAIN. 5:30 P.M. WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. AT 6:00 WE HAVE PUBLIC HEARINGS AND POSSIBLE ACTION. THOSE SHOW UP ON THIS WEEK'S AGENDA AS ITEMS 34 THROUGH 46. AND THEN WE HAVE A TIME CERTAIN HEARING AT -- ALSO AT 6:00, A HEIGHT WAIVER APPEAL THAT SHOWS UP AS ITEM NO. 47. THOSE

ARE OUR TIME CERTAINS FOR TODAY'S COUNCIL MEETING. COUNCIL, CURRENTLY THERE ARE NO ITEMS PULLED OFF THE CONSENT AGENDA. I WOULD LIKE TO JUST CONFIRM THAT. ANY ADDITIONAL ITEMS TO BE PULLED? COUNCILMEMBER MCCRACKEN?

McCracken: I WOULD -- ITEM 13.

Mayor Wynn: COUNCILMEMBER MCCRACKEN PULLED ITEM NO. 13. RELATED TO SOME AUTO BODY REPAIR ITEMS, ACTUALLY I HAD A COUPLE OF COMMENTS I WAS GOING TO MAKE IF THAT STAYED ON THE CONSENT AGENDA, BUT WE WILL TAKE THAT UP SHORTLY. SO ITEM NO. 13 PULLED OFF THE CONSENT AGENDA. ANY OTHER ITEMS TO BE PULLED? HEARING NONE, AT THIS TIME I WILL READ INTO THE RECORD WHAT WILL BE THIS WEEK'S CONSENT AGENDA. THOSE ITEMS APPROVED ON UNANIMOUS VOTE, WITHOUT DISCUSSION. ITEM 1, ITEM 2 FOR POSTPONEMENT TO OCTOBER 21st, 2004; ITEM 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, ITEM 17 ARE THE APPOINTMENTS TO OUR BOARDS AND COMMISSIONS, AND I'LL READ THOSE INTO THE RECORD. TO OUR ANIMAL ADVISORY COMMISSION, KATHY HAMILTON IS COUNCILMEMBER MCCRACKEN'S REAPPOINTMENT. AND TO THE PLANNING COMMISSION, SID GALINDO IS MY REAPPOINTMENT. NUMBER 17 OUR BOARDS AND COMMISSIONS. CONTINUING WITH THE CONSENT AGENDA, ITEM 18, 19, 22, 23, AND THAT'S IT. I'LL ENTERTAIN A MOTION ON THE CONSENT AGENDA AS READ. MOTION MADE BY COUNCILMEMBER ALVAREZ.

Thomas: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER THOMAS TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER SLUSHER?

Slusher: MAYOR, WOULD YOU SHOW ME ABSTAINING ON NUMBER 6?

Mayor Wynn: MS. BROWN -- THANK YOU. YES, COUNCILMEMBER SLUSHER WILL ABSTAIN ON ITEM NO. 6, AN APPOINTMENT. FURTHER COMMENTS? COUNCILMEMBER

ALVAREZ?

Alvarez: I DID HAVE A QUESTION FOR STAFF ON THE ITEM NO. 10, WHICH IS THE -- THE CAPITAL METRO FUNDS APPROPRIATION. ALLOCATION, I SHOULD SAY.

WELCOME, MR. AUSTIN LIBRACH. AND SANDRA CRAYTON. SONDRRA.

Alvarez: IS THAT A QUESTION UNDER THAT ITEM, ONE OF THE PROJECTS THAT'S BEING FUNDED IS SOME ADDITIONAL FUNDS FOR THE EAST SEVENTH STREET CORRIDOR PROJECT? AND I WAS WONDERING, BECAUSE ONE -- ONE OF THE ASPECTS OF THAT CORRIDOR PROJECT THAT WE ARE UNDERTAKING IS PUBLIC ART LIKE WITH MOST I GUESS ROADWAY IMPROVEMENTS OR CAPITAL IMPROVEMENTS AND WOULD ANY AMOUNT OF THE FUNDS THAT ARE -- ADDITIONAL FUNDS THAT WOULD BE ALLOCATED TO THAT PROJECT BE ABLE TO GO TOWARDS PUBLIC ART? IS THAT HANDLED THROUGH -- YOU KNOW WHAT I MEAN? THROUGH A STANDARD POLICY OR IS THAT SOMETHING THAT WE WOULD HAVE TO -- TO SPECIFY IF --

WE DO HAVE SOME FUNDS THAT ARE GOING TO ART ON THE 7th STREET PROJECT. AND THEY ARE COMING OUT OF -- OF THE QUARTER CENT FUNDING.

ALL RIGHT. BUT SINCE WE ARE APPROPRIATING SOME ADDITIONAL FUNDS, WOULD ANY -- I DON'T KNOW IF THERE'S A FORMULA OR SOMETHING THAT YOU USE TO CALCULATE, WELL, HOW MUCH OF THE FUNDING CAN GO TOWARDS --

I BELIEVE WE USUALLY ARE LOOKING AT ABOUT 2.5%.

2.5%.

Alvarez: OKAY. WOULD THAT BE THE SAME WAY WE HANDLE?

THAT'S RIGHT.

Alvarez: OKAY, THAT CERTAINLY WOULD BE HELPFUL TO THE EFFORT. BUT JUST WANTED TO ASK BECAUSE I KNOW THERE'S BEEN A LOT OF -- A LOT OF ARTISTS IN PARTICULAR

IN THE NEIGHBORHOOD THAT HAVE BEEN JUST REAL INTERESTED IN PARTICIPATING IN SOME WAY AND OBVIOUSLY THE MORE RESOURCES THAT WE HAVE THE BIGGER IMPACT THAT WE CAN HAVE ON THE CORRIDOR. BUT I REALLY COULD WANT TO THANK YOU ALL FOR, YOU KNOW, COMING FORWARD WITH THESE RECOMMENDATIONS AND I THINK THEY ARE GOING TO MAKE A BIG IMPACT ON THAT CORRIDOR, BUT ALSO ALL OF THESE OTHER AREAS THAT ARE SLATED HERE FOR -- FOR -- YOU KNOW, FOR IMPROVEMENT HERE TO THESE RESOURCES, BUT THANK YOU VERY MUCH, APPRECIATE IT.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? WE HAVE A MOTION AND A SECOND. HEARING NO FURTHER COMMENTS, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 6-0 ABOUT THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS OFF THE DAIS. FOR THE RECORD, MS. BROWN, I DIDN'T READ, BUT THE CHANGES AND CORRECTION, WE WITHDREW ITEMS NUMBER 21 AND 20. SO COUNCIL, WE HAVE ONE PULLED ITEM, ITEM NO. 13, I WILL RECOGNIZE COUNCILMEMBER MCCRACKEN?

McCracken: THANK YOU, MAYOR. IT'S MY UNDERSTANDING THAT THERE IS -- THIS IS A CONTRACT THAT HAS HAD A NUMBER OF OVERAGES, PERHAPS WE CAN HAVE THE HISTORY OF THE CONTRACT AND WHAT THE ROBEREASON IS FOR THIS.

GOOD MORNING, COUNCIL. MY NAME IS DEANNA GRANGER, I'M THE PURCHASING OFFICER. WE HAD A CONTRACT WITH FIVE VENDORS THAT ARE LISTED ON THE RCA. THESE ARE FOR REPAIRS FOR SEVERAL VEHICLES THAT PROVIDE SERVICES FOR THE AUSTIN POLICE DEPARTMENT, THE FIRE DEPARTMENT, SOLID WASTE SERVICES, AUSTIN WATER UTILITY, AND AUSTIN ENERGY. THESE ARE ALL DEPARTMENTS THAT PROVIDE SERVICES RELATED TO PUBLIC HEALTH AND SAFETY RELATED REQUIREMENTS.

THERE ARE ALSO VEHICLES THAT PROVIDE MAINTENANCE SERVICES, SAY, FOR PARD AND OTHER DEPARTMENTS THAT ARE NON-PUBLIC HEALTH AND SAFETY RELATED SERVICES. WE HAD A BUDGET THAT WAS APPROVED BY THE COUNCIL FOR THE REPAIR OF THESE VEHICLES. HOWEVER, BECAUSE WE HAD MANY MORE REPAIRS THAT WERE REQUIRED THAN WE ANTICIPATED THE FUNDS THAT WERE BUDGETED FOR THE REPAIRS WERE EXPENDED BEFORE WE ANTICIPATED, WHICH REQUIRED THAT WE GO AHEAD AND-- AND HAVE A HOLDOVER ON THESE CONTRACTS WHILE WE WERE PREPARING A SOLICITATION FOR A NEW CONTRACT. WE HAD A -- WE HAD A HOLDOVER UNTIL OCTOBER THE -- A 90 DAY HOLDOVER THAT WE EXERCISED WITH THE EXISTING VENDORS. BUT WE DIDN'T HAVE THE HOLDOVER WHILE WE HAD THE SOLICITATION UNDER PREPARATION, ALL OF THESE VEHICLES THAT REQUIRED REPAIRS WOULD BE STACKING UP, THEN WE WOULDN'T BE ABLE TO HAVE THE VEHICLES ON THE ROAD PROVIDING THE SERVICES THAT ARE NEEDED. IT WOULD BE MUCH MORE EXPENSIVE TO BE ABLE TO HAVE SOME OTHER GARAGES PROVIDE THE REPAIRS TO THE VEHICLES. WE ALSO KNEW THAT THE SOLICITATION WOULD NOT BE READY AFTER THIS HOLDOVER EXPIRED. SO WE ALSO HAD TO HAVE COUNCIL APPROVE AN ADDITIONAL FOUR-MONTH EXTENSION ON THE CONTRACT WHILE THE SOLICITATION, WHICH IS OUT ON THE STREET COMES IN AND -- AND IS AWARDED BY COUNCIL, WHICH WILL BE EARLY NEXT YEAR. SO THAT'S THE REASON FOR -- FOR THESE TWO -- THE ITEM 13.

APPARENTLY THERE'S BEEN SOME BRIEFING FOR COUNCIL STAFF THAT GOT SOME DOLLAR FIGURES THAT THERE'S -- THERE'S BEEN SOME OVERAGES FOR SOME TIME NOW. COULD YOU OUTLINE FOR US WHAT THE ACTUAL DOLLAR AMOUNTS OF THE DISCREPANCIES HAVE BEEN?

SURE. BACK IN AUGUST, ON AUGUST THE 2nd, 2001, COUNCIL APPROVED THE ORIGINAL AWARD, WHICH WAS A 12-MONTH SERVICE AGREEMENT IN THE AMOUNT OF \$500,000. ON APRIL THE 30th, 2002, WE HAD AMENDMENT NUMBER 1, WHICH WAS AN ADMINISTRATIVE INCREASE OF \$43,000, WHICH INCREASED THE ORIGINAL 500,000 AMOUNT TO \$543,000 BECAUSE WE ALREADY KNEW THAT THE AMOUNT OF REPAIRS WAS EXCEEDING THE AMOUNT OF THE ORIGINAL

AWARD. ON JULY THE 15th, 2002, WE AMENDMENT NUMBER 2 TO THAT ORIGINAL CONTRACT. AND THAT WAS FOR -- FOR AN -- THE FIRST EXTENSION OPTION TO THE ORIGINAL AGREEMENT OF \$500,000. WHICH WAS AUTHORIZED BY COUNCIL IN 2001. ON JULY THE 2nd, 2003, WE HAD AMENDMENT NUMBER 3, WHICH WAS ANOTHER ADMINISTRATIVE INCREASE OF \$43,000. AGAIN BECAUSE WE KNEW THAT THE REPAIRS WERE -- WERE IN EXCESS OF WHAT WE ANTICIPATED FOR THE AMOUNT THAT WE HAD BUDGETED FOR THE REPAIRS. ON JULY THE 15th, WE EXERCISED AMENDMENT NUMBER 4, WHICH WAS THE SECOND EXTENSION TIED TO THE CONTRACT APPROVED BY THE COUNCIL. BACK IN 2001 WHICH WAS FOR \$500,000. ON JUNE 21st, 2004, WE HAD AMENDMENT NUMBER 5 WHICH WAS THE 90-DAY HOLDOVER WHICH I DESCRIBED EARLIER FOR THE -- FOR THE -- TO ALLOW US TO CONTINUE TO REPAIR THE VEHICLES WHILE WE WORKED ON THE SOLICITATION, WHICH IS CURRENTLY OUT ON THE STREET, WHICH ALLOWED US TO CONTINUE TO -- TO REPAIR THESE VEHICLES UNTIL OCTOBER THE 14th OF THIS YEAR. THEN ON JUNE THE 29th, 2004, THERE WAS AMENDMENT NUMBER 6, WHICH WAS ANOTHER ADMINISTRATIVE INCREASE OF \$40,000 FOR A REVISED CONTRACT AMOUNT OF NOT TO EXCEED \$540,000. WHICH IS WHERE WE ARE RIGHT NOW.

McCracken: HAVE THERE BEEN I GUESS EVERY YEAR SOME -- IS IT CORRECT THAT EVERY YEAR THEN THERE'S BEEN SOME OVERAGE BETWEEN 43 TO \$40,000, IS THAT AMOUNT THEN TIED TO THE ACTUAL NEED FOR REPAIRS?

CORRECT.

AS I UNDERSTAND IT FROM THE DIRECTOR OF FLEET SERVICES, PART OF THAT IS RELATED TO THE FACT THAT THERE ARE LESS VEHICLES IN RESERVE BECAUSE HE HAS REDUCED THE NUMBER OF EXTRA VEHICLES THROUGH -- TO SAVE COSTS FOR THE CITY. SO WE NEED TO GO AHEAD AND MAKE MORE REPAIRS, MORE FREQUENTLY, TO KEEP THE CARS ON THE ROAD. TO KEEP THE VEHICLES ON THE ROAD.

McCracken: WHY IS IT THAT IT WAS -- IF IT WERE -- YOU KNOW THE SAME AMOUNT, I MEAN, IF THE AMOUNT OF INCREASE WERE TIED TO THE AMOUNT OF NEEDED REPAIRS, IS IT

COINCIDENTAL -- COME INCIDENCE THAT IT WAS \$43,000 EXACTLY FOR TWO YEARS? OR IS IT -- IS IT TIED TO SOME OTHER REASON LIKE A STRAIGHT CONTRACT SUM?

IS IT COINCIDENCE THAT IT'S --

McCracken: I'M TRYING TO FIGURE OUT, IF IT WAS -- IF IT'S -- IF THE INCREASE OF THE CONTRACT WAS REQUIRED BECAUSE OF NEEDED REPAIRS, THE -- THE -- THE INCREASE IN THE CONTRACT WERE THE SAME AMOUNT OF MONEY TWO YEARS RUNNING, I DIDN'T KNOW IF THAT WAS TIED TO A STRAIGHT CONTRACT FEE, IF WE DO THESE UNDER A STRAIGHT CONTRACTUAL SUM OR IF IT'S A BY REPAIR BASIS.

I THINK WHAT WE DO IS TRY TO ESTIMATE HOW MUCH WE ARE GOING TO NEED FOR THAT ADDITIONAL PERIOD OF TIME. HOW MUCH WE WOULD NEED TO BRING IT BACK TO COUNCIL. OVER \$45,000 WE HAVE TO COME BACK TO COUNCIL. WE DON'T WANT TO GET CLOSE TO THAT AMOUNT BECAUSE IF WE DO WE SHOULD BE BRINGING IT BACK TO COUNCIL. WE JUST TRY TO KEEP IT BELOW THAT AMOUNT, NOT TRY TO GET TOO CLOSE. SO WE TRY TO ESTIMATE HOW MUCH MONEY ARE WE GOING TO NEED, IF WE ARE GOING TO NEED THAT MUCH MORE, LET'S GO AHEAD AND TRY TO FIGURE THAT OUT. GO AHEAD AND SET UP AN ACA AND GET THAT TO -- AN RCA AND GET THAT TO COUNCIL, WE ARE TRYING TO DO A BEST GUESS ESTIMATE OF WHAT WILL TIDE US OVER UNTIL WE HAVE TO EXERCISE THE NEXT EXTENSION OPTION.

McCracken: THANKS.

Mayor Wynn: MS. GRANGER, BEFORE YOU STEP AWAY, I HAD SOME -- I REVIEWED THIS CLOSELY AS WELL. ACTUALLY ITEMS 13 AND 14, YOU KNOW, ARE RELATED. AND I -- I REALLY DIDN'T HAVE QUESTIONS NECESSARILY ABOUT THE FORMAT AND THE -- AND THE -- YOU KNOW THE NEED FOR THE REAUTHORIZATION. BUT -- BUT IT BEGGED THE QUESTION, I LOOKED AT THE STATS OF ALL OF THE DIFFERENT, YOU KNOW, ACCIDENTS THAT WE HAVE. OBVIOUSLY PUBLIC SAFETY IS WHERE THE VAST MAJORITY OF OUR, YOU KNOW, COLLISIONS OCCUR, THEN UNDERSTANDABLY A.P.D. IS PROBABLY THE MAJORITY OF

THAT. BUT, YOU KNOW, THERE'S A NUMBER OF -- OF WRECKES ESSENTIALLY SPREAD THROUGHOUT THE ENTIRE CITY AND SO I -- I'M CURIOUS AS -- DOES THE CITY, DO WE MAINTAIN LIKE A SAFETY OFFICER, LIKE A CITY-WIDE OFFICER WHO -- WHO HELPS IN THE INDIVIDUAL DEPARTMENTS THINK ABOUT HOW THEY CAN RUIZ THESE ACCIDENTS?

MAYOR, IF I MAY, THERE'S SEVERAL THINGS THAT THE CITY DOES WITH RESPECT TO THIS SAFETY INITIATIVE. TOM MAY WANT TO INTERJECT AND ADD ADDITIONAL INFORMATION. BUT -- BUT AS IT RELATES TO -- TO ACCIDENTS, I KNOW THE POLICE DEPARTMENT HAS THEIR OWN INVESTIGATIVE BOARD THAT LOOKS AT THE CAUSE OF THOSE ACCIDENTS AND THEN LOOKS AT IT IN TERMS OF PREVENTIVE AS WELL AS IN SOME CASES WHETHER THERE'S DISCIPLINARY ACTION. THE DEPARTMENTS ALSO HAVE SAFETY LIAISONS IN THEIR RESPECTIVE, THOSE SAFETY OFFICERS LOOK AT IT FROM A PREVENTIVE IN TERMS OF WHAT YOU NEED TO BE ABLE TO LOOK AT AS WELL AS INVESTIGATING SOME OF THE ACCIDENTS. SO WE DO HAVE A CORPORATE SAFETY OFFICER IN OUR HUMAN RESOURCE DEPARTMENT THAT -- THAT REVIEWS THE INITIATIVES UNDERWAY FROM EACH DEPARTMENT AND IN THE MAJOR DEPARTMENTS, SUCH AS PUBLIC WORKS, PARKS AND RECREATION, POLICE AS I NOTED AND WATER AND WASTEWATER AND THE OTHER LARGER DEPARTMENTS HAVE SAFETY UNITS, IF YOU WILL, THAT LOOK AT THE TYPE OF ACCIDENTS. ARE THERE TRENDS, WHAT ARE THE CAUSES, WHAT ARE THE TRAINING INITIATIVES THAT NEED TO BE CONSIDERED. IN SOME CASES WE NEED TO INTERVENE AND DO SOME PERSONNEL ACTIONS IF IT'S NECESSARY. BUT WE DO HAVE A VARIETY OF DIFFERENT THINGS UNDERWAY IN EACH OF THE LARGEST DEPARTMENTS.

THE NATURE OF IT WAS IN THE POLICE DEPARTMENT WE PROBABLY HAVE VERY GOOD CONTROLS AND INVESTIGATIONS. MORE IMPORTANT TO ME THAN INVESTIGATION IS AFTER THE FACT WHAT KIND OF CONTROLS AND TRAINING DO WE HAVE IN ADVANCE, I WAS -- I WAS MORE CONCERNED FRANKLY ABOUT THE OTHER DEPARTMENTS THAT OBVIOUSLY DON'T HAVE THE -- YOU KNOW THE DEMAND AND THE NEED AND EXPERTISE THAT

WE LIKELY HAVE IN OUR POLICE DEPARTMENT. BUT THERE ESSENTIALLY IS A SINGLE POINT OFFICER OR PERSON WHO CAN HELP ALL OF OUR DEPARTMENTS WITH TRAINING, WITH CONSISTENT MEASURES TO PERHAPS REDUCE THESE ACCIDENTS.

YES, SIR. WE HAVE A SAFETY OFFICER IN THE HUMAN RESOURCES AND WE HAVE SAFETY UNITS. I WOULD ALSO LIKE TO NOTE THAT -- I'M NOT UP TO DATE ON THIS ANYMORE, BUT THERE WAS A TIME WHERE THE CITY HOSTED AS PART OF ITS SAFETY, VEHICLE SAFETY PROGRAM, A -- A VEHICLE RODEO WHERE -- WHERE BASICALLY DRIVERS WOULD COMPETE FOR SAFETY POINTS TO MAKE SURE, YOU KNOW, HOW THEY COULD PARALLEL PARK, HOW THEY CAN, YOU KNOW, DO ALL OF THE TYPE OF ACTIVITIES THAT THEY DO ON THEIR DAY-TO-DAY BASIS AND IT WAS -- IT WAS AN OPPORTUNITY FOR OUR DRIVERS TO DEMONSTRATE THE SKILLS IN HOW THEY EXCEL ON A DAY-TO-DAY BASIS. THEY TOOK A PRIDE IN THAT ACTIVITY. I'M NOT SURE TO WHAT EXTENT WE DO THAT. DO WE KNOW -- WE KNOW THAT DEPARTMENTS DO THAT TO SOME EXTENT ON AN ONGOING BASIS. >>

Mayor Wynn: WERE COUNCILMEMBERS ELIGIBLE FOR THAT CONTEST? [LAUGHTER] THAT'S ALL OF MY QUESTIONS, THANK YOU.

ACTUALLY, YES. [LAUGHTER] MY ADMINISTRATIVE OR TRUCK DRIVER OR ANYTHING.

OKAY. WELL, THANK YOU. FURTHER COMMENTS OR QUESTIONS ON ITEM 13 13? HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER DUNKERLY, I'LL SECOND THAT TO APPROVE ITEM 13. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. COUNCIL, I BELIEVE THAT'S ALL OF OUR DISCUSSION ITEMS. THIS --

[INDISCERNIBLE]

Mayor Wynn: YES, I THINK MS. BROWN HAD YOU ABSTAINING ON 6. COUNCIL, I BELIEVE THAT'S OUR OF OUR DISCUSSION ITEMS THIS MORNING. WE HAVE A COUPLE OF ITEMS POSTED FOR EXECUTIVE SESSION. I'LL GO AHEAD AND ANNOUNCE NOW THAT WE ARE NOT GOING TO TAKE UP ITEM 27 IN EXECUTIVE SESSION. THIS WAS RELATED TO THE BALCONES COUNTRY CLUB. IT HAS BEEN WITHDRAWN BY THE LAW DEPARTMENT. SO WITHOUT OBJECTION, WE WILL NOW GO INTO CLOSED SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEYS UNDER SECTION 551.071 OF THE OPEN OPEN MEETINGS ACT TO DISCUSS POTENTIALLY ITEMS 24 RELATED TO THE NORTH SERVICE CENTER CONSTRUCTION CONTRACT, AND ITEM 49 RELATED TO FULL PURPOSE ANNEXATION OF THE GREENSHORES AREA. WE ARE NOW IN CLOSED SESSION. THANK YOU. TEST TEST. THIS IS A TEST OF THE CAPTIONING SYSTEM. TEST TEST. THIS IS A TEST OF THE CAPTIONING SYSTEM, THURSDAY, OCTOBER 7, 2004. >

IN CLOSED SESSION WE TOOK UP ITEMS 24 AND 49. NO DECISIONS WERE MADE. ITEM 24 RELATED TO THE SPY GLASS CONTRACTORS, OUT OF 49 RELATED TO FULL-PURPOSE ANNEXATION OF THE GREEN SHORES AREA. NO DECISIONS WERE MADE. WE'LL HAVE A LATER ACTION ITEM RELATED TO THE SPY GLASS, I BELIEVE. THIS TIME WE'LL GO TO CITIZENS COMMUNICATION. APOLOGIZE FOR GOING LATE. OUR FIRST SPEAKER WILL BE MR. PAT JOHNSON. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY MICHAEL AUSTIN.

I HAVE SOMETHING TO TO SHOW YOU TODAY. POWER POINT. SO YOU ALL KNOW WHAT I'M TALKING ABOUT. MY FIRST TIME I'VE DONE THIS AND I SEE HOW EASY IT IS, I THINK I'LL DO THIS EVERY TIME. SINCE YOU CAN'T UNDERSTAND ME. ALL RIGHT. YOU KNOW, THE STAFF ASKED YOU ALL TO PASS AN ORDINANCE ABOUT THE BANDIT SIGN ORDINANCE SEVERAL MONTHS AGO, I THINK IN THE SPRING. AND OF COURSE MY ISSUE HAS BEEN WITH THE TOWING COMPANIES. YOU SEE THEY PUT THEM ON THE LIGHT POLES. I TALKED TO -- I'VE DEALT WITH SEVERAL CITY DEPARTMENTS ABOUT THESE TOWING COMPANY SIGNS IN THE RIGHT-OF-WAY TO LIGHT

POLES AND EVERYTHING. AND CAN YOU IMAGINE A LINEMAN GOING UP A POLE WITH A BELT SLIPPING OFF AND CATCHING THAT SIGN IN YOUR CROTCH AREA WOULDN'T FEEL VERY GOOD AT ALL. NOW, THIS RIGHT HERE, WE WANT TO BEAUTIFY OUR CITY, WE DON'T WANT THESE SIGNS ALL OVER. JUST TAKES AWAY FROM THE APPEARANCE OF OUR COMMUNITY. NOW, THIS SIGN RIGHT HERE IS OVER THERE ACROSS MUNICIPAL COURT DOWN THAT ALLEY. THIS IS ASSURED TOWING. THAT SIGN HAS BEEN REMOVED TWICE BY CITY STAFF AND IT ENDS UP BACK ON A POLE. NOW, I INQUIRED, I SAID WHAT IS THE PROBLEM HERE. AND I WAS TOLD BY GEORGE MARTINEZ WITH AUSTIN ENERGY, WELL, SOMEBODY -- HADN'T TRAINED US THE RIGHT TICKETS YET. MUNICIPAL COURT DOESN'T WANT TO TURN THAT TICKET BOOK LOOSE TO ANYONE. SO I SAY WHAT IS THE PURPOSE OF PASSING A CITY ORDINANCE THAT HAS AN ISSUE TO DO ANYTHING. THIS ONE'S OVER HERE BEHIND A GAS PIPE. EVERYBODY SAYS WE HAVE TO SEND A LETTER. THE TOWING COMPANIES KNOW THEY AIN'T SUPPOSED TO PUT SIGNS ON A LIGHT POLE. THERE'S ANOTHER ONE. GOING DOWN THAT ALLEY. RIGHT OVER BETWEEN 13th TO 14th, GUADALUPE TO LA LAVACA. THERE'S NO NEED FOR THIS STUFF, THEY JUST WALK OVER US. I SEE THIS SIGN HERE EVERY DAY BECAUSE I GO OVER AND PICK UP MY NEPHEW FROM A.C.C. WHEN I GO DOWN THAT ALLEY. I STOPPED SEVERAL TIMES, MAN, YOU NEED TO TAKE THAT SIGN OFF THAT POLE. THEY TOLD ME WE CAN DO WHATEVER WE WANT TO DO. HERE'S ANOTHER ONE. WHAT IS THE PURPOSE OF PASSING A CITY ORDINANCE IF YOU ARE NOT GOING TO DO ANYTHING ABOUT IT? AND -- I TALKED TO CODE COMPLIANCE, I TALKED TO AUSTIN ENERGY AND THE TRAFFIC SIGN TEAM. I TALKED TO MATTHEW KRIS ENSEPB I BELIEVE YESTERDAY. HE CALLED ME BACK YESTERDAY. CALLED HIM I THINK TUESDAY. OVER THERE IN THE 2000 BLOCK OF RIVERSIDE, THERE'S SOME POLES STICKING BETWEEN THE -- BUZZ [BUZZER SOUNDING] -- BETWEEN THE SIDEWALK AND CURB. FOUR-INCH PIPE. IN THE GROUND SIX FOOT DEEP. CAN YOU IMAGINE GOING DOWN THAT RIVERSIDE AND SOMEBODY PULLING OUT IN FRONT OF YOU, YOU SWERVE UP ON THE CURB AND COME IN CONTACT WITH SOME OF THOSE POLES. THAT'S WHAT THIS ORDINANCE IS FOR. YOU'LL PASS IT. I ASK THAT YOU ASK THE STAFF TO

ENFORCE IT. THANK YOU.

Mayor Wynn: THANK YOU, MR. JOHNSON. MICHAEL AUSTIN. MICHAEL AUSTIN WANTED TO SPEAK ABOUT ELECTRICAL SERVICE. MIKE DAMAL. AM I MISPRONOUNCING THAT, MIKE? WELCOME, YOU HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY GIRARD KINY.

I'M HERE TO TALK TO YOU ABOUT GET CITY ASSISTANCE TORE TAP AT CHERRYKRERRY WOOD GREEN AT THE CORNER OF 34th STREET AND CHERRYWOOD IN EAST CENTRAL AUSTIN. THIS LAND WAS DEED TO DO THE CITY IN THE 1940s WHEN THE AREA WAS ORIGINALLY SUBDIVIDED WITH THE INTENTION OF CREATING A PARK. AS FAR AS WE KNOW THE CITY NEVER OFFICIALLY DEDICATED THIS PIECE OF PROPERTY AS PARK LAND, ALTHOUGH IT IS STILL LABELED A CITY OF AUSTIN PARK ON MANY OFFICIAL MAPS. THE HOPES IN THIS IMMEDIATE AREA ARE NOT SERVED DIRECTLY BY ANY PUBLIC PARK SPACE. THE CLOSEST MAJOR PARK TO THE NORTH THE PATTERSON PARK AND THE SMALL PARK IS AVAILABLE TO THE SOUTH IS ALAMO PARK. GIRARD HAS SOME MAPS IF YOU WOULD LIKE TO SEE WHERE IT'S LOCATED. NEIGHBORHOOD VOLUNTEERS OVER THE LAST COUPLE OF YEARS HAVE DEVELOPED WITH CITY AGENCIES AND THE LOCAL CHERRYWOOD NEIGHBORHOOD ASSOCIATION TO CREATE THE CHERRYWOOD GREEN. WE'VE ESSENTIALLY VOLUNTEERED SOME -- VOLUNTEERS AND TAKEN AND DEVELOPED A PLAN THAT INCLUDES LANDSCAPING, TRAIL, PICNIC BENCHES, WATER FOUNTAIN. THIS PLAN WAS PUBLISHED IN OUR NEIGHBORHOOD NEWSLETTER AND APPROVED BY RESIDENTS IN OUR QUARTERLY MEMBERSHIP MEETING. THIS PLAN HAS BEEN IMPLEMENTED FOR THE MOST PART WITH NATIVE AND LOW-MAINTENANCE LANDSCAPING PLANTED BY VOLUNTEERS WITH ADVICE AND HELP FROM TREE FOLKS. A CRUSHED GRANITE TRAIL AND PICK ANYTHING TABLES HAVE BEEN ADDED THROUGH VOLUNTEER LABOR AS APPROVED BY THE NEIGHBORHOOD PLAN. CONTINUING PROGRESS IS BEING MADE IN THIS AREA. WE'RE TRYING TO GET RID OF A LOT OF POISON IVY. THERE'S SOME CREEK EROSION. THIS AREA IS BORDERED BY A CREEK AND WE HAVE LITTLE MAPS IN THE STUFF WE'VE HANDED OUT. WE'RE TRYING TO GET RID OF THE NONINVASIVE SPECIES WITH MORE NATURAL STAFF

THAT'S JUST GOING TO BE SELF-MAINTAINED. WE'VE HAD SEVERAL CREEK CLEANUPS IN THAT AREA IN ASSOCIATION WITH THIS AND THERE WAS, LIKE, MATTRESSES AND A LOT OF DEBRIS. IT LOOKED LIKE THERE WAS A FEW HOMELESS CAMPS THERE. NOW THIS AREA HAS DEVELOPED, IT IT SEEMS TO REALLY DETERRED -- SINCE IT'S A PUBLIC USE SPACE, IT'S NOT AS HIDDEN AND POORLY KEPT AS IT WAS BEFORE. A SYSTEM IS IN PLACE THAT WE HAVE NEIGHBORHOOD VOLUNTEERS WITH THE MOWING AND MAINTENANCE OF THIS AREA. AND FUTURE PROJECTS INCLUDE CONTROLLING EROSION OF THE CREEK BED. WE ARE ASKING CITY COUNCIL FOR ASSISTANCE IN PROVIDING US WITH A WATER METER INSTALLATION TO KIN WITH THE MAINTENANCE AND DEVELOPMENT OF CHERRYWOOD GREEN. THE PROVIDING OF A WATER METER WOULD ALLOW US TO CONSTRUCT WATER FOUNTAIN AND IRRIGATION SPIGOT TO COMPLETE THE PLAN FOR CHERRYWOOD GREEN AS APPROVED BY THE NEIGHBORHOOD ASSOCIATION. THE CITY WOULD ALLOW US TO HAVE A VIBRANT PUBLIC SPACE FOR THIS PART OF TOWN WITH VERY LITTLE COST TO THE CITY. THIS ESSENTIALLY IS A PUBLIC SPACE RIGHT NOW. [BUZZER SOUNDING] PEF ALREADY DEVELOPED THE PARK -- GIRARD CAN FINISH UP.

Mayor Wynn: THANK YOU.

THANK YOU, GIRARD KINY FINISHING UP. IT'S BEEN -- AS MICHAEL SAID, IT'S BEEN MAINTAINED BY IF BY THE COMMUNITY AT NO COST TO THE CITY. AND WE ARE -- WE HAVE WORKED WITH CITY STAFF. CITY STAFF HAS BEEN GREAT BECAUSE THEY HELPED US -- IT WAS A VERY DIFFICULT THING TO FIND OUT WHETHER THERE WAS A LINE THAT COULD BE TAPPED. THERE WERE A LOT OF FALSE STARTS. WE WERE FINALLY ABLE TO GET OUT THERE AND DIG TEST HOLES, FINALLY FOUND IT TO EXPOSE THE LINE IS THERE AND READY. WE COULD RAISE THE MONEY FOR THIS. IT'S POSSIBLE THAT THE COMMUNITY COULD RAISE THE MONEY. BUT OUR FEELING ABOUT THIS, AS WE APPROACH VARIOUS CITY COUNCIL AIDES AND STAFF, WHATEVER EVERYONE SAID IS THE PROBLEM WILL BE THAT THIS IS A PRECEDENT. THAT THERE WOULD BE CONCERN THAT IF YOU DID THIS FOR CHERRYWOOD, YOU WOULD BE WANTING TO DO IT ALL OVER TOWN, AND WE UNDERSTAND THAT'S A

SERIOUS CONCERN. BUT AS WE TALKED ABOUT IT, WE REALIZED WE THOUGHT, YOU KNOW, THIS IS A GOOD PRECEDENT. THIS IS A GOOD PRECEDENT. IF EVERY COMMUNITY IN THE CITY, IF EVERY NEIGHBORHOOD IN THE CITY WERE TO BE WILLING TO TAKE -- JUST TAKE POSSESSION OF AND MAINTAIN AND REALLY, YOU KNOW, TURN A SO. W INTO A SILK PURSE, THE CITY REALLY OUGHT TO BE PAYING FOR THE IMPROVEMENT THAT WE'RE DOING TO THE CITY'S PROPERTY. I MEAN YOU WILL OWN THE METER, YOU WILL OWN THE WATERLINE, YOU WILL OWN EVERYTHING WE DO. THE LANDLORD, YOU KNOW, THE IMPROVEMENTS ACCRUE TO THE LANDLORD. SO WE THINK IT'S A GREAT PRECEDENT AND WE WOULD ASK FOR YOU TO ASK STAFF TO ACTUALLY PROVIDE THIS EITHER CONTRACT OR PROVIDE THIS METER. WE CAN TAKE IT FROM THE METER AND WE CAN, YOU KNOW, DO IT FROM THERE. WE HAVE PLUMBING EXPERTISE. SO I'LL GIVE YOU BACK A LITTLE BIT OF TIME. THANK YOU.

Mayor Wynn: THANK YOU. QUICK QUESTION, GIRARD. ON THE PLATS THAT YOU SHOW US, I SEE THIS OLD REFERENCE TO CONCORDIA AVENUE.

YES.

Mayor Wynn: IS THAT RIGHT-OF-WAY OR --

A PART OF OUR LONG-RANGE PLAN OF THE PARK WOULD BE TO ACTUALLY WORK SOMETHING OUT WHERE WE WOULD BE ABLE TO ACTUALLY USE THAT PLATTED CON TOWARD I CAN'T AVENUE, -- CONCORDIA AVENUE, BUT IT WAS NEVER BUILT THERE. THAT'S ACROSS THE CREEK FROM PARK, THE PART OF THE PARK WE HAVE IMPROVED. OUR LONG-RANGE PLANS INCLUDE FOOT BRIDGES AND OTHER THINGS AND, YOU KNOW, WE HAVE THOSE KIND OF LONG-RANGE VISIONS THAT ONE HAS. BUT HAVING WATER THERE IS KIND OF ESSENTIAL TO ANY OF IT SO WE FEEL LIKE THAT'S ONE OF THE FIRST PHASE THINGS.

Mayor Wynn: THANK YOU, MR. KINNEY. OUR NEXT SPEAKER IS PAUL REYES. WELCOME, PAUL. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY DANIEL LLANES.

THANK YOU, MAYOR WYNN, COUNCILMEMBERS. MY NAME IS PAUL REYES AND I'M HERE TODAY ON BEHALF OF THE AUSTIN COMMUNITY EDUCATION CONSORTIUM. NEXT THURSDAY, OCTOBER 14th, IS NATIONAL LIGHTS ON AFTER SCHOOL DAY. FOR OVER 12 YEARS THE CITY OF AUSTIN HAS AFFORDED AUSTIN PRIME TIME AFTER-COOL PROGRAM AND YOU'VE TAKEN IT FROM EIGHT SCHOOLS IN 1993 TO 23 TODAY. AND I'M HERE TO THANK YOU FOR KEEPING THE LIGHTS ON IN PRIME TIME. EACH YEAR YOUR SUPPORT OF THE AUSTIN PRIME TIME PROGRAM PROVIDES FREE AFTER-SCHOOL CLASSES AND ACTIVITIES TO OVER 6,000 CHILDREN. MOST OF THESE CHILDREN ARE LIVING IN LOW-INCOME AREAS. FROM ACADEMICS AND ARTS TO SPORTS AND RECREATION, THESE ACTIVITIES PROVIDE THE CHILDREN OF AUSTIN WITH OPPORTUNITIES THEY WOULD NOT OTHERWISE HAVE. I WANT TO YOU KNOW THAT YOUR SUPPORT HAS BEEN VITAL AND HAS MADE A HUGE DIFFERENCE FOR THOSE THAT PARTICIPATE IN THE AUSTIN PRIME TIME PROGRAM. CHILDREN WHO PARTICIPATE IN THIS PROGRAM THAT YOU SUPPORT HAVE FEWER DISCIPLINE PROBLEMS THAN OTHERS. THEY ATTEND SCHOOL AT A HIGHER RATE THAN OTHERS. THEY PERFORM ACADEMICALLY BETTER THAN OTHERS. AND THEY ARE SAFE IN THE HOURS AFTER SCHOOL. YOUR AUSTIN PRIME TIME PROGRAM HAS BEEN THE MODEL FOR OTHER AFTER-SCHOOL EFFORTS HERE IN CENTRAL TEXAS. FOR EXAMPLE, IT WAS A MODEL FOR OUR 21st CENTURY AFTER-COOL PROGRAMS. THIS YEAR IN ADDITION TO PRIME TIME'S 23 SCHOOLS, THERE ARE ANOTHER 20 SCHOOLS THAT HAVE BEEN GRANTED MORE THAN \$3.5 MILLION FOR AFTER-SCHOOL PROGRAMS. ALL TOLD, THESE PROGRAMS, AUSTIN PRIME TIME AND 21st CENTURY CENTERS, WILL SERVE OVER 14,000 CHILDREN THIS YEAR. THURSDAY, OCTOBER 14th, IS NATIONAL LIGHTS ON AFTER SCHOOL DAY. AND I'M HERE TO INVITE YOU TO SOME OF THE SCHOOLS FOR OUR OPEN HOUSE. LETTING YOU SEE THE BEST IN AFTER-SCHOOL PROGRAMS AND WE WILL BE SENDING YOU INVITATIONS OUTLINING THE TIMES AND PLACES. ON BEHALF OF THE AUSTIN COMMUNITY EDUCATION CONSORTIUM AND THE CHILDREN IN AUSTIN PRIME TIME, I THANK YOU FOR KEEPING THE LIGHTS ON AFTER SCHOOL. THANK YOU.

Mayor Wynn: THANK YOU, MR. REYES. DANIEL LLANES.
WELCOME, DANIEL. YOU WILL HAVE THREE MINUTES AND
YOU WILL BE FOLLOWED BY ERIKA GONZALES. [WHISTLING].

I'M WITH PODER AND I'M HERE TO INVITE YOU TO THE -- THIS
IS OUR TPHRAO EUR IN ENGLISH ON ONE SIDE AND SPANISH
ON THE OTHER. SO EITHER LANGUAGE FOR YOU. I
COORDINATE THE FESTIVAL FOR PODER ALONG WITH OUR
COLLABORATIVE PARTNERS, THE AUSTIN PARKS
FOUNDATION, LADY BIRD WILDLIFE CENTER AND CITY OF
AUSTIN THROUGH COUNCILMEMBER RAUL ALVAREZ'S
OFFICE. THIS IS OUR SECOND ANNUAL FESTIVAL AND SOME
WERE AT OUR INAUGURAL FESTIVAL LAST YEAR SO I'M HERE
TO WELCOME AND INVITE YOU NOT THIS SATURDAY BUT
NEXT SATURDAY THE 16th FROM 9:00 TO 5:00. I WANT TO
INVITE YOU TO OUR SP EPD VIP WALK WHICH WILL BE AT 8:00
P.M. EXCUSE ME, THANK YOU. A.M. THE FESTIVAL IS
DEDICATED TO SPIRIT AND CULTURE OF PLANTS. AND
COLORADO PARK IS THE PROUD ADDITION TO THE EAST
SIDE AND WE LOVE BEING THERE AND HAVING THE PARK AS
AN AMENITY FOR THE EAST SIDE. AND IT'S A PLACE FOR US
TO CELEBRATE OUR COLLECTIVE CULTURE HERE IN AUSTIN.
DICK PIERCE TENDS TO SAY THAT THE FESTIVAL IS AN EAST
SIDE PARTY THAT THE WHOLE CITY IS INVITED TO AND
THAT'S WHAT IT IS AND THAT'S WHY WE ARE HERE TO INVITE
YOU. WE HOPE YOU WILL COME. IT'S EDUCATIONAL IN
NATURE. WE ARE HOPING TO EXPAND THE COMMUNITY'S
AWARENESS OF THE ENVIRONMENT AND OUR PART IN THE
ECOSYSTEM AS A CULTURE AND AS PART OF THE MOTHER
EARTH. SO ONCE AGAIN I INVITE ALL OF YOU TO COME TO
THE FESTIVAL ON SATURDAY, OCTOBER 16th. 9:00 TO 5:00
A.M. THANK YOU VERY MUCH. ALSO WE HAVE A FEW
PICTURES. AS YOU CAN SEE, THERE'S EVENTS, THERE'S
ALSO GOING TO BE ENTERTAINMENT. ARTS AND CRAFTS
BOOTHES. JUST A LOT OF ACTIVITIES FOR ADULTS AND FOR
CHILDREN. AND OF COURSE IT'S FREE TO THE PUBLIC. SO
THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU.

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, DANIEL, FOR REMINDING US ABOUT THIS EVENT THAT'S COMING UP. VERY QUICKLY I WANT TO THANK YOU ALL OF THE COMMITTEE FOR ITS WORK ORGANIZING IT. CERTAINLY MY STAFF FOR THEIR PARTICIPATION IN THAT. BUT IT'S A VERY EXCITING COLLABORATION BETWEEN PODER, AUSTIN PARKS FOUNDATION AND LADY BIRD JOHNSON WILDFLOWER CENTER AND OF COURSE PARKS AND RECREATION DEPARTMENT. AND LAST YEAR WAS THE FIRST YEAR WE DID THIS AND IT WAS A HUGE SUCCESS AND WE'RE HOPING THAT WE JUST CONTINUE TO GROW THIS EVENT EVERY YEAR AND TRYING TO BRING IN THE SCHOOLS AND ALL OF THE SURROUNDING COMMUNITY THERE, MONTOPOLIS AND EAST AUSTIN. I DO WANT TO THANK YOU ALL FOR YOUR HARD WORK AND INVITE EVERYBODY TO COME ON OUT AND GET TO KNOW THE PARK AND ALSO THERE'S GOING TO BE A LOT OF GREAT VENDORS AND A LOT OF GREAT ACTIVITIES AND ENTERTAINMENT AS WELL. SO THANK YOU.

THANK YOU, COUNCILMEMBER. AND I JUST WANT TO ADD THAT -- AND UNDERSCORE WHAT THE COUNCILMEMBER HAS SAID. THIS IS A GREAT COLLABORATIVE EFFORT AND A GREAT WAY TO BRING ALL THE CULTURE OF ALL OF AUSTIN TOGETHER. SO WE APPRECIATE THE OPPORTUNITY. THANK YOU.

Mayor Wynn: THANK YOU, MR. LLANES. ERIKA GONZALES. WELCOME, YOU WILL HAVE THREE MINUTES, FOLLOWED BY SUSANA ALMANZA.

GOOD AFTERNOON, CITY COUNCILMEMBERS. MY NAME IS ERIKA GONZALES WITH PODER, PEOPLE ORGANIZED IN DEFENSE OF EARTH AND ITS RESOURCES. I'M HERE TO AUBG ABOUT PODER'S KEEPERS OF THE ROYAL COLORADO PARK PROJECT AND IMPORTANCE OF KEEPING A BALANCE BETWEEN PLANTS AND ANIMALS THAT LIVE IN IN THE PARK AND US THE VISITORS. KEEPERS OF THE COLORADO RIVER PARK FIRST STARTED BECAUSE OF THE CONCERN TO MONITOR AND ENSURE THE PARK CONTINUES TO DEVELOP IN A WAY THAT WOULD PRESERVE ITS NATURAL HABITATS WITHIN THE ENVIRONMENTS DUE TO THE PARK'S

COMPREHENSIVE PLAN. AND I HAVE A POWER POINT PRESENTATION. THROUGH COLLABORATIVE EFFORTS, PODER'S KEEPER OF THE COLORADO RIVER PARK HAVE BEEN ABLE TO DIALOGUE AND BRING MUCH-NEEDED AWARENESS ABOUT THESE 366 ACRES OF UNDISTURBED LAND ALONG THE COLORADO RIVER THAT IS SURROUNDED BY AN URBAN SETTING IN EAST AUSTIN. OVER THE COURSE OF TIME, PODER'S KEEPERS OF THE COLORADO RIVER PARK STARTED TO DEVELOP RECOMMENDATIONS BEFORE ANY FURTHER DEVELOPMENT CONTINUED. LAST YEAR DANIEL LLANES, PODER BOARD MEMBER AND COORDINATOR FOR THE KEEPERS PROJECT, STARTED GIVING TOURS AROUND THE COLORADO RIVER AS A WAY TO BRING EAST AUSTIN RESIDENTS INTO THE PARK TO LEARN ABOUT ITS HISTORY AND BECOME AWARE THAT WE CAN RESPECTFULLY CO-EXIST WITH ITS WILDLIFE AND NATURE. THIS SUMMER DANIEL FACILITATED A SERIOUS WORKSHOP FOR PODER'S SCHOLARS FOR JUSTICE BY TAKING THEM ON GUIDED TOURS AND HOLDING DIALOGUES ABOUT THE IMPORTANCE OF [INAUDIBLE] WHEN IT COMES TO THROWING TRASH BECAUSE AS WE ALL KNOW, WHATEVER WE THROW ON MOTHER EARTH MATE END NEWSPAPER OUR WATERS. THIS FALL, PODER'S KEEPERS OF THE COLORADO RIVER PARK STARTED A NEW PROJECT CALLED LIVING AND LEARNING WITH MOTHER EARTH AT ALLISON ELEMENTARY SCHOOL. WE DEVELOPED A CURRICULUM THAT TOOK STUDENTS ON A FIELD TRIP TO THE PARK. THIS WAS A GREAT OPPORTUNITY FOR STUDENTS TO ACQUIRE AN AWARENESS OF THE ENVIRONMENT AND ITS IMPACT ON HEALTH, QUALITY OF LIFE AND EFFECTS ON OUR MOTHER EARTH. THE WORKSHOP SERIES WOULD ALSO SERVE AS A TOOL FOR TEACHERS. PODER AND THE KEEPERS OF THE COLORADO RIVER PARK TO WORK SIMULTANEOUSLY IN THE CREATION OF A CURRICULUM ALIGNED TO ABIDE BY STATE STANDARDS. STUDENTS WERE GIVEN OPPORTUNITIES TO OBSERVE, LISTEN AND BEGIN COMMUNICATION THROUGH THE USE OF THEIR FIVE SENSES. STUDENTS DISCOVERED MANY TYPES OF INSECTS, LEARNED OF THE PARK'S HISTORY AND MADE CONNECTIONS ABOUT THE CORRELATION OF HEALTH AND THE ENVIRONMENT. ADDITIONALLY STUDENTS STARTED TO DEVELOP A SENSE OF PLACE AND COMMUNITY THROUGH LEARNING ABOUT THE GEEING ON ARE TPAOEU

OF THE PARK AND THE STUDY OF CULTURE AND IDENTITY. WHETHER IT IS THROUGH GUIDED TOURS, THROUGH FUTURE COLLABORATIONS WITH I.S.D. TO TAKE MORE STUDENTS INTO THE PARK OR OUR SECOND ANNUAL FESTIVAL, WE HOPE TO CONTINUE ADVOCATING FOR THE RESPECT OF THE PARK, ITS PLANTS AND ANIMALS. BUT ALSO THE CONTINUED USE BY PEOPLE IN A HARMONIOUS BALANCE. [BUZZER SOUNDING] IT'S BECOMING CLEAR THAT WE MUST INTEGRATE WITH AND RESPECT OUR FAMILY, MOTHER EARTH, NOT ONLY FOR THE SURVIVAL OF THE LAND BUT FOR OUR OWN PHYSICAL AND SPIRITUAL WELL-BEING. THANK YOU.

Mayor Wynn: THANK YOU. SUSANA ALMANZA. WHO WILL BE FOLLOWED BY JENNIFER GALE.

GOOD AFTERNOON, MAYOR AND CITY COUNCILMEMBERS. MY NAME IS SUSANA ALMANZA AND I'M WITH PODER. PEOPLE ORGANIZED IN DEFENSE OF EARTH AND HER RESOURCES. AND I COME HERE TODAY TO TALK ABOUT THE CONCERNS THAT WE HAVE. I'M NOT HERE TO TALK FOR OR AGAINST THE COMMUTER RAIL OR LET THE VOTERS DECIDE THAT. BUT I WENT TO A GATHERING, A CONFERENCE HELD AT LBJ CENTER ON TRANSIT ORIENTED DEVELOPMENT, AND I HEARD STATE REPRESENTATIVE MIKE KRUSEE SAY -- HE DREW THIS PICTURE OF THE DIFFERENT RAIL SYSTEMS AND SAID, YOU KNOW, ALL THE PROPERTIES THAT ARE NOW WHERE THE TRAIN IS GOING TO BE COMING THROUGH HAS ALREADY GONE UP IN VALUE. AND ONCE THIS COMMUTER RAIL IS PASSED, IT'S GOING TO DOUBLE IN THE AMOUNT OF VALUE. AND I ASKED HIM A QUESTION ABOUT WHAT WERE WE GOING TO DO ABOUT THE GENTRIFICATION. THAT I UNDERSTOOD ALL THIS MASS DEVELOPMENT WAS GOING TO HAPPEN ALONG THE COMMUTER RAIL CORRIDOR. BUT WHAT I WAS CONCERNED IS ABOUT THE NEW URBANISM THAT EVERYBODY IS TALKING ABOUT. AND THAT NEW URBANISM ISN'T DEFINED IN OUR CULTURE BECAUSE IT'S MOSTLY ABOUT SINGLE PROFESSIONAL PEOPLE LIVING IN THESE HIGH RISE BUILDINGS. AND IT'S NOT ABOUT FAMILIES. IT REALLY ISN'T. AND SO I SAID HOW ARE WE GOING TO WORK AT THE GENTRIFICATION ISSUE. OF COURSE, MR. KRUSEE COULDN'T ANSWER THAT AND THEN THEY DECIDED THERE WAS NO MORE TIME. SO I WOULD HAVE TO TALK TO

SOMEONE ELSE. BUT WHAT I WOULD LIKE TO PROPOSE, I THINK THERE NEEDS TO BE A MASTER COMMUTER RAIL DEVELOPMENT AS TO WHERE YOU ARE GOING UP IN THE HIGHER INCOME BRACKETS, THEN YOU BUILD ACCORDING TO THAT BRACKET. BUT WHEN YOU COME TO EAST AUSTIN AND THE SALTILLO DISTRICT, AT THE TPERTLIGHT AREA, THAT YOU SUBSIDIZE THOSE PARTICULAR AREAS BY KEEPING THEM LOW INCOME. I'M NOT TALKING THAT 65% MEDIAN FAMILY INCOME BECAUSE THAT'S TOO HIGH. WE'RE NOT AT THAT RAEUFPLT BEING ABLE TO BUILD FROM 30 TO MAYBE 40% MEDIAN FAMILY INCOME AT THOSE PARTICULAR SITES AS YOU DO DEVELOPMENT. AND THEN THE OTHER SITES AS YOU GO INTO THE HIGHER INCOME BRACKET, THEN BUILD ACCORDINGLY. AND THEN USING THOSE FEES THAT COUNCILMAN THOMAS AND RAUL HAVE LOOKED AT INTO THE NEW ZONE IS USING THOSE FEES TO EVEN FURTHER SUBSIDIZE TO KEEP THE AREA EVEN LOWER DEVELOPMENT SCALE INCOME PEOPLE. SO I WOULD LIKE TO PROPOSE THAT SO THAT THE NEW URBANISM DOESN'T BECOME THE NEW RACISM AND IT DISPLACES COMMUNITY PEOPLE FROM THOSE PARTICULAR AREAS IN EAST AUSTIN BECAUSE, AS WE ALL KNOW, THAT IS A LOWER INCOME WHERE PEOPLE ARE AT ANYWHERE FROM 20 TO 30 TO 40% MEDIAN FAMILY INCOME. [BUZZER SOUNDING] SO I ASK YOU TO LOOK AT THAT AS WE BEGIN TO LOOK AT THE WHOLE COMMUTER RAIL DEVELOPMENT. THANK YOU.

Mayor Wynn: THANK YOU. JENNIFER GALE. WELCOME, WILL YOU HAVE THREE MINUTES.

THANK YOU, MAYOR. CITY MANAGER TOBY FEW FUTRELL, COUNCILMEMBERS. HI, AUSTIN. PLEASE VOTE EARLY, OCTOBER 8th OCTOBER 8th. I WANTED TO THANK SUSANA ALMANZA, FELICE DAY LA RAZA. FIESTA DE OCTOBERER. I APOLOGIZE FOR INCORRECTLY SAYING OCTOBER 2 WAS THE LAST DAY TO REGISTER TO VOTE WHEN 31 DAYS IN OCTOBER, I KNOW SUNDAY MOVED BACK THE DATE TWO DAYS TO OCTOBER 4th. IF YOU ARE NOT REGISTERED TO VOTE, YOU CAN STILL DRIVE DOZENS OF VOTERS TO EARLY VOTING SITES TO MAKE UP FOR YOUR LOST VOTES. IT'S JUST A FEW DAYS BEFORE THE NATIONAL ELECTION TO ELECT AND PRESIDENT AND VICE PRESIDENT TO VOTE ON LIGHT RAIL IN AUSTIN. WHEN WE LOOK AT CMTA MAP, THERE

IS NO CLEAR DELINEATION OF STREETS. IT APPEARS TO MEANDER DOWNTOWN, HEADS EAST AND MOVES NORTHWEST CUTTING ACROSS STREETS ONE WOULD LIKE TO TRAVEL DOWN. TO REITERATE FROM LAST WEEK, THEY LOOK JUST LIKE LIGHT RAIL. LOOK AT THE RIGHT TRACK PATH ADVERTISEMENT IN LAST WEEK'S AUSTIN CHRONICLE. THERE ARE MANY MEMBERS OF THE CHAMBER OF COMMERCE LOOKING AT THE -- THESE ARE THE SAME LEAD THAERS WORK FOR THE CHAMBER OF COMMERCE. HAVING TAXPAYER -- TAXPAYERS GIVING THEM ENOUGH MONEY FOR THE BUSINESS PROJECTS, CLEARLY THIS WILL HELP GENTRIFICATION IN EAST AUSTIN THROUGHOUT TAKING PEOPLE OUT OF THEIR HOMES FOR LITTLE MONEY. BUT THESE ELECTIONS ARE GOING TO PUT CARCINOGENS IN THE AIR. IT'S GOING TO NOT AS ENVIRONMENTALLY SAFE AS BADLY DRIVEN BUSES THAT WOULDN'T NEED TIRE TRACKS TORE HAVE TO RUN ON A FIXED ROUTE. YOU ARE NOT TELLING THEM ONE OR TWO HOURS. THAT IT MAY TAKE TO GET TO THEIR DESTINATIONS. I WOULD HAVE THOUGHT THAT THE ENVIRONMENTAL COMMUNITY WOULD HAVE COME OUT AGAINST DIESEL ENGINES. AGAIN, THESE STOPS MEANDER AROUND AUSTIN. THIS IS LIGHT RAIL. SHOULDN'T YOU BE HONEST WITH THE PEOPLE? I WOULD ASK THE AUSTIN CITY COUNCIL FOR A RESOLUTION AGAINST COMMUTER DIESEL LIGHT RAIL, BUT YOUR NAMES ARE ON THIS ADVERTISEMENT. YOU MUST THINK THE TAXPAYERS ARE DADDY WARBUCKS. I'VE BEEN WARNING THE CITY COUNCIL DART WAS A FAILURE BEFORE ARMED MEN WERE USED TO THREATEN BUS RIDERS TO GET OFF THE DART BUSES AND ON TO THE LIGHT RAILCARS IN DALLAS. NOW EVERYWHERE YOU LOOK THERE ARE CABLES AND WIRES ALL OVER DOWNTOWN AUSTIN -- DALLAS. IT'S UGLY. THE BEAUTY IS GONE. AND WITH THE RELEASE OF AN INNOCENT DEATH ROW INMATE, I THINK WE SHOULD STOP THE DEATH PENALTY AND KEEP PEOPLE INCARCERATED. [BUZZER SOUNDING] LET'S ALSO POINT OUT THAT PRESIDENT BUSH TRIED TO KILL SADDAM HUSSEIN HOURS AFTER THE BEGINNING OF THE WAR AND SHOULD BE TRIED FOR ASSASSINATION. LET'S VOTE OCTOBER 18th THROUGH 29th. AND LONGHORNS, LET'S WIN ONE IN THE COTTON BOWL. HOOK 'EM. THANK YOU.

Mayor Wynn: THANK YOU. THAT'S ALL THE CITIZENS WHO SIGNED UP FOR GENERAL COMMUNICATIONS. TWHR- BEING NOTHERE BEING NO MORE -- COUNCIL, EARLIER IN CLOSED SESSION WE TALKED ABOUT A POSSIBLE SETTLEMENT WITH SPAU GLASS. WE HAVE A POSTED ACTION, NUMBER 29. WITH THAT I'LL ENTERTAIN A BRIEF PRESENTATION FROM THE LAW DEPARTMENT.

MAYOR, COUNCILMEMBERS, IN ACCORDANCE WITH OUR EXECUTIVE SESSION DISCUSSION, WE WOULD RECOMMEND THAT YOU AUTHORIZE THE NEGOTIATION AND EXECUTION OF A SETTLEMENT AGREEMENT WITH SPAWGLASS CONTRACTORS IN THE AMOUNT OF \$1,712,762.14.

Mayor Wynn: AND PERHAPS JUST FOR FOLKS LISTENING, IF WE COULD GET A BRIEF EXPLANATION AS TO, YOU KNOW, WHY WE WOULD BE PAYING FOR A CONTRACT TERMINATION.

IF YOU'LL RECALL, THIS IS THE NORTH CENTER -- NORTH SERVICE CENTER PROJECT THAT WAS UNDER CONSTRUCTION A YEAR AGO OR SO. AND IN NOVEMBER THERE WAS AN EXPLOSION ON THE SITE DUE TO THE IMPROPER DISPOSAL OF CHEMICALS BY A FORMER OWNER OF THE SITE. AT THAT POINT THE CITY ISSUED A STOP WORK ORDER AND SUBSEQUENTLY DURING SITE INVESTIGATION WORK SUSPENDED THE SERVICES OF SPAWGLASS, THE CONTRACTOR. FINALLY THE SITE INVESTIGATION REVEALED THE POSSIBLE PRESENCE OF ADDITIONAL CHEMICALS. THE CITY HAS BEEN IN THE PROCESS OF REMEDIATING THE SITE. THE AMOUNT OF DELAYS THAT HAVE OCCURRED -- THAT OCCURRED DURING THAT PROCESS LEFT THE CONTRACTOR MORE OR LESS ON STAND BY READY TO RETURN TO THE WORK. AFTER THIS PROCESS HAD GONE ON FOR APPROXIMATELY SIX MONTHS, THE CITY WENT AHEAD AND TERMINATED THE CONTRACT WITH SPAWGLASS IN ORDER TO -- AND THE RUNNING OF DELAY DAMAGES AND LOST OPPORTUNITY CLAIMS AND SUBCONTRACTOR CLAIMS. THERE'S -- IT'S AN EXTREMELY COMPLEX PROJECT. THE CONTRACTOR DEVOTED A LOT OF RESOURCES TO IT. THERE WERE OVER 50 SUBCONTRACTORS INVOLVED ON THE PROJECT. THEY ALL SUFFERED A CERTAIN AMOUNT OF DELAY DAMAGES AND HARD COSTS, LOST PROFIT AND LOST BIDDING OPPORTUNITIES. CITY STAFF HAS WORKED

DILIGENTLY WITH THE CONTRACTOR TO NEGOTIATE AN AMOUNT OF SETTLEMENT THAT MAKES THE CONTRACTOR WHOLE AND ENDS THIS PHASE OF THE PROJECT. THE CITY WILL GO AHEAD AND CONTINUE WITH REMEDIATION AND LOOK AT GETTING BACK ON THE JOB AFTER THAT'S DONE BY REBIDDING THE PROJECT.

AND MAYOR, I MIGHT JUST ADD THIS SETTLEMENT RESOLVES THE RESPONSIBILITIES THAT THE CITY HAS AS LANDOWNER, BUT WE WILL CONTINUE TO PURSUE MAKING THE PROPERTY PARTIES RESPONSIBLE FOR HAVING PUT THE CHEMICALS THERE IN THE FIRST PLACE.

Mayor Wynn: THANK YOU, MR. SMITH. QUESTIONS OR COMMENTS FROM STAFF, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 29D.

SO MOVED.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER SLUSHER TO APPROVE THE NEGOTIATION AND EXECUTION OF THIS SETTLEMENT AS OUTLINED BY THE CITY ATTORNEY'S OFFICE. ITEM NUMBER 29, IN CONNECTION WITH THE NORTH SERVICE CENTER CONSTRUCTION CONTRACT. FURTHER COMMENTS? HEARING NONE, ALL IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7 TO ZERO. THANK YOU. OKAY, SO COUNCIL I'M BEING TOLD THAT WE'RE ALSO NOT GOING TO TAKE UP ITEM NUMBER 28 IN CLOSED SESSION, WHICH WAS REGARDING THE ROBERT MUELLER AIRPORT AND OUR AGREEMENT WITH CATELLUS AUSTIN, LLC. WITH THAT I BELIEVE WE NOW NO LONGER HAVE DISCUSSION ITEMS OR CLOSED SESSION ITEMS ON THIS WEEK'S AGENDA. WITHOUT OBJECTION, WE WILL RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND PARTICIPATE AT 3:00 WE WILL -- ACTUALLY WE WILL CALL BACK TO ORDER -- WE LOOK CALL TO ORDER THE AUSTIN HOUSING AND FINANCE CORPORATION BOARD MEETING WHERE WE HAVE ONE ITEM FORECLOSED SESSION AND THEN SOON THEREAFTER TAKE BACK UP THE AUSTIN CITY COUNCIL MEETING BEGINNING WITH OUR 4:00 ZONING CASES. SO WE ARE NOW IN RECESS. SHOULD BE BACK AT 3:00 FOR AHFC BOARD MEETING. MAYOR IT IS 3:00, THE AUSTIN CITY COUNCIL IS STILL IN

RECESS, BUT AT THIS TIME I WOULD LIKE TO CALL TO ORDER THIS MAKING OF THE AUSTIN AUSTIN. IT IS 3:00 THURSDAY, OCTOBER 7th, 2004. WE ARE IN THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, BOARD ROOM. A QUORUM IS PRESENT, THE ONLY ITEM ON THE AHFC AGENDA IS TO GO INTO EXECUTIVE SESSION PURR SEWN TO SECTION 551.071 OF THE OPEN MEETINGS ACT, PURSUANT TO, TO DISCUSS AHFC AGENDA ITEM 1, RELATED TO THE PURCHASE OF APPROXIMATELY 6.087 ACRES OF LAND LOCATED IN THE 1900 BLOCK OF EAST SIXTH STREET. WE ARE NOW IN CLOSED SESSION, I ANTICIPATE THIS DISCUSSION LASTING APPROXIMATELY HALF AN HOUR, AND AT THAT TIME WE WILL COME BACK AND -- AND ADJOURN THIS MEETING OF THE AHFC AND CALL BACK TO ORDER THE AUSTIN CITY COUNCIL. WE ARE IN CLOSED SESSION. >

WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP AHFC AGENDA ITEM 1. NO DECISIONS WERE MADE. THERE BEING NO BUSINESS OF THE AUSTIN HOUSING FINANCE CORPORATION WE'LL ADJOURN THAT MEETING AND CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. AT THIS TIME WE'LL GO TO OUR TIME CERTAIN ADDENDUM ITEM NUMBER 48 WHICH WILL BE A PRESENTATION FROM COUNCILMEMBER ALVAREZ AND COUNCILMEMBER THOMAS REGARDING THE ESTABLISHMENT OF A COMMUNITY DEVELOPMENT PROGRAM IN AN AREA GENERALLY CENTRAL EAST AUSTIN. AND I RECOGNIZE COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. WHILE WE'RE GETTING SET UP HERE, WE'RE GOING TO TRY TO KEEP IT BRIEF SINCE WE'RE RUNNING A LITTLE BEHIND AND WE HAD A -- KIND OF A MORE METHODOICAL PRESENTATION THAT COUNCILMEMBER THOMAS AND I WERE GOING TO DO, BUT WE'RE GOING TO TRY TO ABBREVIATE IT SINCE WE'RE GETTING CLOSE TO OUR 4:00 PUBLIC HEARINGS. BUT BEFORE YOU YOU HAVE A - - THE PROPOSAL THAT WAS ANNOUNCED EARLIER THIS WEEK THAT WE ARE JUST LOOKING TO -- THROUGH THE ACTION WE MIGHT TAKE TODAY IS INITIATE A PUBLIC INPUT PROCESS ON THE PROPOSAL TO CREATE WHAT WE'RE CALLING A COMMUNITY PRESERVATION AND REVITALIZATION ZONE FOR A PART OF EAST AUSTIN. AND REALLY THIS PARTICULAR ZONE OR PROPOSAL IS INTENDED

TO BE AN ADDITIONAL COMPONENT OF THE CITY'S EXISTING ECONOMIC DEVELOPMENT PROGRAM, AND THIS PART OF THE PROGRAM WOULD TARGET SPECIFICALLY ECONOMICALLY DISADVANTAGED AREAS OF THE CITY. DEVELOPMENT PROJECTS THAT OCCUR WITHIN THE CPNR ZONE AND MEET SPECIFIC CRITERIA WOULD BE ELIGIBLE FOR VARIOUS ECONOMIC INCENTIVES. AND THROUGH THE CPNR PROGRAM, THE CITY HOPES TO PROMOTE ECONOMIC GROWTH IN A WAY SENSITIVE TO THE ECONOMIC NEEDS OF THE TARGETED AREA. AND THROUGH. ONE OF THE REASONS IS CLOSE THE ECONOMIC GAP BETWEEN EAST AUSTIN AND OTHER PARTS OF THE TOWN. IN RECENT YEARS WE'VE SEEN AN UPSURGE IN PUBLIC AND PRIVATE INVESTMENT IN EAST AUSTIN. AND BECAUSE OF THE SUCCESS OF SUCH PROJECTS, THERE IS MUCH MORE INTEREST NOW IN LOOKING TO DEVELOP IN EAST AUSTIN AND THROUGH THE ESTABLISHMENT OF THIS PARTICULAR PROGRAM THE CITY CAN HELP FACILITATE THE DEVELOPMENTS THAT WILL CREATE JOBS AND EXPAND THE TAX BASE, BRING NEEDED COMMERCIAL SERVICES AND AFFORDABLE HOUSING TO THE SURROUNDING NEIGHBORHOODS, AND ALSO TO CONFORM TO POLICIES OUTLINED IN THE ADOPTED NEIGHBORHOOD PLANS IN ORDER TO ENSURE COMPATIBILITY WITH THE NEIGHBORHOOD AND IN ORDER TO PRESERVE THE CHARACTER OF THE NEIGHBORHOOD. AND SO REALLY I'LL JUST KIND OF USE SOME OF THESE VISUALS TO HELP US UNDERSTAND WHAT WE'RE TALKING ABOUT. LET ME SEE IF I CAN GRAB THE MIC HERE. OKAY. SO THIS IS THE PROPOSED ZONE. AS, YOU KNOW, JUST TO INITIATE THIS PROCESS AND AGAIN THAT MAY BE SOMETHING THAT WE GET SOME FEEDBACK ON IN TERMS OF HOW IT'S SET UP HERE, THE BOUNDARIES, BUT BASICALLY WE'RE LOOKING AT I-35 ON THE WEST, MANOR ROAD TO THE NORTH, 183 TO THE EAST, AND RIVERSIDE DRIVE TO THE SOUTH, PLUS THIS LITTLE STRETCH OF 71 RIGHT HERE CONNECTING RIVERSIDE AND 183. AND BASICALLY WE WENT SOUTH OF TOWN LAKE TO TRY TO CAPTURE MONTOPOLIS AND THE -- BECAUSE IT'S OBVIOUSLY AN AREA OF NEED AND BECAUSE THERE IS A LOT OF, YOU KNOW, DEVELOPMENT POTENTIAL, ESPECIALLY IN THIS LITTLE AREA HERE BECAUSE OF, YOU KNOW, THE AIRPORT PROXIMITY AND THE FACT THAT IT'S SO REALLY

CENTRALLY LOCATED. BUT BASICALLY SOME OF THE CHARACTERISTICS OF THIS AREA IS THAT IT'S GOT ALMOST DOUBLE THE -- IT HAS MORE THAN DOUBLE THE POVERTY RATE, ALMOST DOUBLE THE UNEMPLOYMENT RATE AND THE M.F.I. FOR THIS PARTICULAR ZONE IS ABOUT 54% OF THE MEDIAN FAMILY INCOME FOR THE CITY. ONE OTHER ISSUE CERTAINLY TO HIGHLIGHT IS THAT IN THIS PARTICULAR -- AND ACTUALLY IN SOME OF THE TASK FORCES WE HAVE PUT TOGETHER IN THE PAST, THE PAST THREE YEARS WE'VE PUT SORT OF A WORKING GROUP TOGETHER IN 2001 AND ANOTHER TASK FORCE TOGETHER LAST YEAR TO LOOK AT THE ISSUE OF GENTRIFICATION, AND THE TASK FORCE OF 2003 LOOKED AT THE TRENDS IN TERMS OF PROPERTY VALUATIONS, AND IT LOOKED AT AN AREA THAT'S A LITTLE SMALLER. IT LOOKED AT MOSTLY THIS AREA GOWN TO TOWN LAKE BUT IT DID SHOW FROM '90 TO '95 PROPERTY VALUES IN THIS AREA WERE NOT INCREASING NEARLY AT THE RATE THAT THE REST OF THE CITY WAS IN TERMS OF PROPERTY VALUES AND -- BUT FROM '95 TO 2000 WE SAW THAT A REALLY BIG JUMP IN TERMS OF INCREASES IN PROPERTY VALUATIONS AND SO THAT'S CERTAINLY SHOWING THAT -- THAT THE CONCERNS FOLKS ARE -- HAVE BEEN EXPRESSING TO US ABOUT GENTRIFICATION ARE REAL AND ALSO I'M SURE AS A RESULT OF THE ADDITIONAL DEVELOPMENT THAT HAS OCCURRED, YOU KNOW, WITHIN THIS ZONE IS ALSO SHOWING THAT THE LAND IS A LITTLE MORE VALUABLE NOW FOR DEVELOPMENT. AND SOME OF THE THINGS WE JUST HIGHLIGHT THAT ARE HAPPENING THAT WE KNOW ABOUT, AND THERE MAY BE A LOT OF OTHER PROJECTS THAT WE DON'T KNOW ABOUT IN THIS AREA, ARE -- CERTAINLY ARE 11th AND 12th STREET PROJECT. WE HAVE THE -- WE HAVE MUELLER, WHICH IS RIGHT ON THE EDGE OF THE PROPOSED ZONE SO IT'S NOT NECESSARILY INCLUDED IN THE ZONE, BUT CERTAINLY, YOU KNOW, AS WE DEVELOP THAT, IT COULD HAVE SOME IMPACTS IN TERMS OF PROPERTY VALUES AND FURTHER DEVELOPMENT AROUND THAT -- THAT SITE. THE TPRTLIGHT PROJECT PROPOSAL THAT IS NEAR AIRPORT AND M.L.K. WE HAVE THE SALTILLO DISTRICT PLANNING EFFORT THAT'S UNDERWAY WHERE CAPITAL METRO AND THE CITY, I GUESS JOINTLY APPOINTED AN ADVISORY BOARD TO LOOK AT REDEVELOPMENT OPTIONS FOR THOSE 11 ACRES OWNED

BY CAPITAL METRO. AND SO THAT PROCESS IS ONGOING. AND WE -- NOT ON HERE IS THE NEW PEDERNALES LOFTS PROJECTS THAT IS BEING OCCUPIED TO A CERTAIN EXTENT, HALF IT OF OF IT IS UNDER CONSTRUCTION, BUT THAT PROJECT IS ALREADY ON THE GROUND AND NEARING COMPLETION. AND THE OTHER ONE THAT WE JUST HIGHLIGHTED IS THE WORK THAT WE'RE DOING TO MAKE IMPROVEMENTS, INFRASTRUCTURE IMPROVEMENTS TO 7th STREET TO IMPROVE SAFETY ALONG THE CORRIDOR, BUT ALSO MAKE SURE THAT THE INFRASTRUCTURE IS THERE TO SUPPORT MORE DEVELOPMENT IN THE AREA. AND CERTAINLY WANT TO THANK THE COUNCIL FOR ALLOCATING AN ADDITIONAL MILLION DOLLARS TORE THAT PROJECT -- FOR THAT PROJECT IN THIS VERY DAY AND EARLIER AS PART OF THE CONSENT AGENDA. SO AS YOU SEE, THERE'S A LOT HAPPENING, AND AS I SAID, THIS IS JUST WHAT WE KNOW ABOUT, AND SO PARTLY WHAT WE'RE TRYING TO DO IS FIGURE OUT, WELL, IS THERE A WAY FOR THE CITY TO PARTNER AND WORK WITH THE FOLKS WHO ARE LOOKING TO DEVELOP IN THE ZONE AND MAKE SURE, AGAIN, THAT AS WE PROMOTE THE DEVELOPMENT THAT IT'S ALSO SENSITIVE TO THE ECONOMIC SITUATION OF THIS AREA THAT WE'RE DEALING WITH. AND SO REALLY JUST TO GO OVER VERY BRIEFLY THE BENEFITS OF THE ZONE, OF THE DEVELOPING IN THE ZONE, YOU HAVE A ONE-PAGE SUMMARY IN QUESTION AND ANSWER FORMAT. BUT BASICALLY THERE ARE INCENTIVES FOR COMMERCIAL ONLY PROJECTS WHICH BASICALLY RELIES ON CREATING A CERTAIN NUMBER OF JOBS AND WHICH THUS THEN PROVIDES A CERTAIN LEVEL OF FINANCIAL INCENTIVE. AND ALSO THEN IN TERMS OF THE MIXED USE EXAMPLE, YOU KNOW, THE COMMITMENT THAT WE WOULD BE ASKING FOR IS, YOU KNOW, CERTAIN APLGT OF COMMERCIAL DEVELOPMENT -- AMOUNT OF COMMERCIAL DEVELOPMENT, THOUGH IT'S ALSO A COMMITMENT THAT 10% OF THE UNITS THAT ARE DEVELOPED AS PART OF THE MIXED USE PROJECT WOULD BE DEVELOPED AT 65% OF M.F.-5, AND THAT'S A BIT LOWER THAN WHAT OUR TYPICAL GOAL IS OR WHAT WE'RE ABLE TO ACHIEVE TYPICALLY WITH AFFORDABLE HOUSING PROJECTS, MANY TIMES IT'S JUST 80% LEVEL OF AFFORDABILITY SO THIS WOULD TAKE IT A STEP FURTHER AND TRY TO HIT 65%. BECAUSE AS I MENTION MENTIONED

EARLIER, THE MEDIAN FAMILY INCOME FOR THIS ZONE IS CLOSER TO 50% OF THE MEDIAN FAMILY INCOME. AND UNDER EITHER SCENARIO, THERE WOULD BE TWO ADDITIONAL OR ONE ADDITIONAL REQUIREMENT IS THAT THE DEVELOPER WOULD BE REQUIRED TO INVEST A CERTAIN AMOUNT INTO A HOMEOWNER ASSISTANCE FUND AND IT WOULD BE THIS FUND THAT WOULD BE ABLE TO PROVIDE SOME -- SOME RELIEF, SOME ASSISTANCE TO THE EXISTING HOMEOWNERS, PROBABLY AT LEAST THE WAY WE'RE TALKING ABOUT IT IN TERMS OF A UTILITY VOUCHER AND REALLY JUST TARGETING THE FOLKS IN THE NEIGHBORHOOD THAT NEED MOST ASSISTANCE, THAT BEING THOSE WHO HAVE LIVED THERE FOR MORE THAN 10 YEARS AND THOSE HOOK INCOME FOR THEIR FAMILY IS LESS THAN 50% OF THE MEDIAN FAMILY INCOME. THAT WOULD BE THE GROUP OF FOLKS WHO WOULD BE ELIGIBLE FOR ASSISTANCE THROUGH THAT PARTICULAR PROGRAM. SO REALLY THAT'S IT IN A NUTSHELL AND YOU HAVE ALSO THE PROPOSAL IN FRONT OF YOU AS WELL. ONE THING I WOULD NOTE, AND THERE'S A TABLE IN THE PROPOSAL, I THINK IT'S -- I BELIEVE IT'S ON THE SECOND PAGE THAT SHOWS -- THAT TRIES TO SUMMARIZE THE -- THE CRITERIA THAT ARE -- THAT NEED TO BE MET IN ORDER TO RECEIVE REBATES OR FINANCIAL INCENTIVE. AND I JUST WANTED TO MAKE SURE THAT EVERYONE IS CLEAR THAT THE FIRST TWO COLUMNS, ONE SAYS MIXED USE PROJECT INCENTIVE GUIDELINES. THE NEXT COLUMN SAYS INCENTIVE GUIDELINES FOR COMMERCIAL ONLY. AND SO THAT -- YOU DON'T NEED TO BE BOTH OF THOSE TO QUALIFY FOR THE INCENTIVES. YOU EITHER MEET ONE OR THE OTHER, AND THAT'S SOMETHING THAT AS WE UPDATE THE PROPOSAL WE'LL TRY TO CLARIFY. BUT REALLY, AGAIN, JUST REALLY WE'RE TRYING TO PUT THIS FORWARD, YOU KNOW, AS A WAY TO -- TO BUILD ON A LOT OF THE WORK THAT'S BEEN DONE OVER THE LAST THREE OR FOUR YEARS IN TERMS OF ECONOMIC DEVELOPMENT FOR EAST AUSTIN, BUT ALSO TRYING TO FIND A WAY TO -- TO ADDRESS THE ISSUE OF GENTRIFICATION AND NEIGHBORHOOD COMPATIBILITY, AND SO WE'RE CERTAINLY PUTTING THIS FORWARD WITH THAT IN MIND THAT WE'RE TRYING TO BALANCE ALL OF THE VARIOUS ECONOMIC NEEDS OF THIS PARTICULAR AREA. SO WITH THAT, I'LL CLOSE. I'LL LET COUNCILMEMBER THOMAS HAVE A

-- SAY SOMETHING IF HE SO CHOOSES, BUT OTHERWISE JUST OPEN IT UP FOR QUESTIONS.

Mayor Wynn: THANK YOU, COUNCILMEMBER.
COUNCILMEMBER THOMAS.

Thomas: THANK YOU, MAYOR. I THINK MY COLLEAGUE DID WELL IN EXPLAINING WHAT WE'RE TRYING TO DO. WE SAID BASICALLY THE SAME THING AT THE PRESS CONFERENCE. HAD AN OPPORTUNITY TO MEET WITH SOME PEOPLE YESTERDAY THAT WERE CONCERNED ABOUT THE PERCENTAGE OF THE M.F.I., AND LIKE I WAS EXPLAINING TO THEM, THOSE ARE SOME AREAS THAT WE IN THIS 90 DAYS PLUS WHATEVER IT TAKES TO TRY TO SIT DOWN WITH THE COMMUNITY INPUT AND STAFF INDISPUTE TO TRY TO -- AND STAFF INPUT TO TRIAL MEET MAYBE LOWER WHATEVER WE CAN DO TO MAKE THIS PARTICULAR INCENTIVE BE PRODUCTIVE. THE ZONE THAT WE ARE -- THAT COUNCILMEMBER ALVAREZ WAS TALKING ABOUT AND EVEN THE POVERTY LEVELS ARE SO HIGH IN THE PARTICULAR ZONE THAT WE MAPPED OUT TODAY IS DOUBLE THE POVERTY IN THE CITY OF AUSTIN, AND SO THESE ARE SOME OF THE THINGS. QUITE NATURALLY WE'VE HEARD A LOT ABOUT GENTRIFICATION, SO THESE ARE SOME OF THE INITIATIVES HE AND I HAVE PUT TOGETHER AND I COMMEND HIS STAFF AND MY STAFF FOR WORKING HARD AND THE COUNCIL AND THE COUNCIL LOOKING FORWARD TO PUTTING ALL OF OUR HEADS TOGETHER, AND THE COMMUNITY, TO REACH THE GOALS THAT WE'RE TRYING TO DO IN THIS PARTICULAR AREA. AND ALSO IN THIS GREAT CITY OF AUSTIN. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. QUESTIONS, COUNCIL? FURTHER COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: ONE LAST POINT THAT I DIDN'T GET A CHANCE TO MAKE IS -- BECAUSE WE MENTIONED OUR EFFORTS ON 11th AND 12th STREET, AND REALLY, YOU KNOW, WANTING TO HIGHLIGHT HOW, YOU KNOW, WE'VE BEEN TRYING TO IMPLEMENT ACTUALLY WHAT WE'RE TRYING TO PUT IN A PROGRAM HERE OURSELVES THROUGH WHAT WE'RE DOING ON THE 11th AND 12 12th STREET AREA BY NOT JUST

BUILDING THE COMMERCIAL DEVELOPMENT THAT CAN CERTAINLY PROMOTE ADDITIONAL COMMERCIAL INVESTMENT, BUT ALSO LOOKING AT RIGHT HERE BETWEEN 11th AND 12th STREET ALL OF THE AFFORDABLE HOUSING THAT THE CITY HAS HELPED TO BUILD IN THAT NEIGHBORHOOD, AGAIN, TO TRY TO MAKE SURE THAT WE TRY TO CONTROL THE HOUSING VALUES, YOU KNOW, AS MUCH AS POSSIBLE. AND SO IF YOU SEE, AGAIN, BETWEEN 11th AND 12th STREET HOW MUCH WORK THE CITY HAS DONE, YOU SEE THAT IT'S A PRETTY SIGNIFICANT FINANCIAL CONTRIBUTION AS WELL, AND SO PARTLY THIS PROPOSAL IS SORT OF AN EXTENSION OF THAT IN TRYING TO COME UP WITH A SYSTEM WHERE THE CITY COULD, AGAIN, BE A PARTNER WITH THE FOLKS WHO ARE TRYING TO DEVELOP IN EAST AUSTIN AND ENCOURAGING THEM TO UNDERTAKE SOME OF THESE SAME THINGS OR SOME OF THESE SAME APPROACH THAT'S THE CITY HAS TO MOVE FORWARD AND DEVELOP WITH SENSITIVITY TO THE SURROUNDING NEIGHBORHOODS. AND REALLY THE -- IN CLOSING, JUST CERTAINLY WANT TO CONVEY TO THE COUNCIL AND OTHER MEMBERS OF THE PUBLIC THAT THIS IS JUST THE BEGINNING OF THE PROCESS BECAUSE, YOU KNOW, NOW IS THE FIRST TIME WE HAVE A SORT OF CONCRETE PROPOSAL TO CONSIDER IN TERMS OF ADDRESSING THESE KIND OF ISSUES. AND SO WE WILL HAVE AT LEAST 90 DAYS TO DISCUSS THIS AND THAT CAN CERTAINLY BE EXTENDED DEPENDING ON THE LEVEL OF INTEREST AND THE LEVEL OF CHANGES THAT MAY BE NECESSARY, BUT WE WILL BE TRYING TO FACILITATE THE PROCESS OF PUBLIC INPUT BY WORKING THROUGH THE CITY'S COMMUNITY DEVELOPMENT COMMISSION, AND I SEE AT LEAST ONE MEMBER HERE, A COUPLE MEMBERS, SO I DON'T KNOW IF THEY WOULD LIKE TO COMMENT ON THIS ABOUT HOW MUCH -- YOU KNOW, HOW INTERESTED THE COMMISSION IS ON THIS ISSUE AND IF YOU HAVE ANY QUESTIONS CERTAINLY YOU HAVE THE OPPORTUNITY NOW, BUT I THINK IT'S KAREN AND RUBY, RIGHT? ARE HERE FROM THE COMMISSION. I WANT TO THANK THEM FOR TAKING TIME OUT. BUT WOULD YOU LIKE TO SAY ANYTHING? PLEASE.

GOOD AFTERNOON, COUNCIL. I'M KAREN PULP, VICE CHAIR OF THE HOUSING KEFPLT OUR CHAIR WAS HERE EARLIER,

BUT HE WAS CALLED BACK TO HIS JOB. WE'RE LOOKING FORWARD TO LOOKING INTO THIS GENTRIFICATION IS SOMETHING THAT THE COMMISSION HAS SENT COMMISSIONERS TO JOINT COMMITTEES OF THE PLANNING COMMISSION TWICE IN RECENT YEARS AND SOMETHING THAT'S A VERY GREAT CONCERN. THE COMMISSION WAS FOUNDED TO HELP PEOPLE IN LOWER INCOME AND MINORITY COMMUNITIES TO GET AHEAD, AND WITH GENTRIFICATION, WE SEE A LOT OF OPPORTUNITIES COMING INTO COMMUNITIES, BUT COMING IN IN THE HANDS OF OTHER PEOPLE. AND SO WE ARE VERY INTERESTED IN SEEING HOW WE CAN CONTRIBUTE TO AN EFFORT TO MAKE SURE THAT THE PEOPLE WHO HAVE LIVED IN THESE COMMUNITIES FOR A LONG TIME PARTICIPATE IN THEIR REVITALIZATION.

Mayor Wynn: THANK YOU. COMMENTS, COUNCIL? FURTHER QUESTIONS? COUNCILMEMBER SLUSHER.

Slusher: I APPRECIATE COUNCILMEMBER ALVAREZ, COUNCILMEMBER THOMAS BRINGING THIS PROPOSAL. [INAUDIBLE].

YOUR MICROPHONE.

Slusher: OH, I'M SORRY. [INAUDIBLE] I GUESS THERE'S SOMETHING WRONG WIT. I'LL TRY TO TALK LOUD. I APPRECIATE THEM BRINGING THIS. I KNOW IT'S A TOUGH ISSUE. PEOPLE NORMALLY WANT THEIR PROPERTY VALUES TO GO UP [INAUDIBLE] KEEP PEOPLE'S PROPERTY VALUES FROM GOING UP. I THINK THEY HAVE THE ONLY APPROACH REALLY [INAUDIBLE] WHICH IS TO PROVIDE MORE AFFORDABLE HOUSING AND TRY TO ASSIST PEOPLE IN SOME WAY FINANCIALLY THAT ARE ALREADY IN THE NEIGHBORHOOD TO STAY THERE.

Mayor Wynn: THANK YOU, COUNCILMEMBER. SO COUNCIL, SO ACTUALLY WE'RE POSTED FOR OBJECTION ITEM 48 AND WE HAVE A -- ACTION ON ITEM 48 AND WE HAVE A RESOLUTION BEFORE US. AND AS COUNCILMEMBER ALVAREZ POINTED OUT -R THE BE IT RESOLVED DOES DIRECT THE CITY MANAGER TO FACILITATE PUBLIC INPUT ON THE PROPOSAL FOR THE CREATION OF THE CP AND R ZONE PROGRAM AND

BASED ON INPUT COME BACK TO COUNCIL WITHIN 90 DAYS AND THEN FURTHER SEEKS INPUT OF THE COMMUNITY DEVELOPMENT COMMISSION. I GUESS I WOULD LIKE TO CHIME IN AS WE DIRECT THE CITY MANAGER TO GET THAT PUBLIC INPUT, WE NEED TO THINK ABOUT FOLKS WHO CAN HELP US ANALYZE THIS. AFFORDABLE HOUSING DEVELOPERS, THE LARGER PERHAPS REAL ESTATE COMMUNITY AS A WHOLE. YOU KNOW, NEIGHBORHOOD ASSOCIATIONS IN THE AREA THAT OBVIOUSLY MAY BE AFFECTED. SO HOPEFULLY AS BROAD A SET OF PUBLIC FEEDBACK AS POSSIBLE. COUNCILMEMBER McCracken.

McCracken: I WANT TO CONGRATULATE COUNCILMEMBER ALVAREZ AND COUNCILMEMBER THOMAS. THIS IS -- THE OLD WAY OF TRYING TO TACKLE ISSUES HAS BEEN THROUGH COMMAND AND CONTROL WHICH DOESN'T WORK. THIS IS AN INNOVATIVE FREE MARKET APPROACH TO THIS AND I THINK THIS HAS A LOT OF POTENTIAL AND I REALLY CONGRATULATE THEM FOR BRINGING THIS FORWARD.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 48.

Alvarez: MOVE APPROVAL, MAYOR.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ. SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ITEM 48, RESOLUTION IS DRAFTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL, THAT TAKES US TO OUR 4:00 ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. WE'LL WELCOME MS. ALICE GLASGOW.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGOW, DIRECTOR OF NEIGHBORHOOD PLANNING AND ZONING. OUR ZONING CASES ARE ITEMS THROUGH 33 WHICH ARE SECOND AND THIRD READING ITEMS ARE ALL GOING TO BE DISCUSSION. WHICH THEN TAKES US TO THE 4:00 PUBLIC HEARINGS -- HEARING ITEMS. WE START WITH ITEMS Z-1. ITEMS NUMBER Z-THROUGH Z-8 ON THE RAINEY STREET NEIGHBORHOOD REZONING CASES AND STAFF IS

REQUESTING POSTPONEMENT TO OCTOBER 21st SO THE CASES CAN BE HEARD CONCURRENTLY WITH A PROPOSAL TO AMEND THE WATERFRONT OVERLAY THAT PERTAINS TO THIS AREA. WHICH THEN TAKES US TO THE CONSENT ZONING CASES, WHICH ARE STARTING OFF WITH Z-9, CASE C14-04-08, EAST 14th STREET LOCATED AT 807 THROUGH 809 EAST 14th STREET. EXISTING ZONING IS MULTI-FAMILY 4 WITH A NEIGHBORHOOD COMBINE PLANNING DISTRICT. THE APPLICANT IS SEEKING CHANGE TO MULTI-FAMILY 6 WITH NEIGHBORHOOD PLAN OVERLAY. THAT -- THE REQUEST HAS BEEN RECOMMENDED BY THE PLANNING COMMISSION AND THE CASE IS READY FOR ALL THREE READINGS. THIS REQUEST IS CONSISTENT WITH THE NEIGHBORHOOD PLAN. ITEM NUMBER Z-10, C14-04-128, THE PROPERTY LOCATED AT 7501 SOUTH IH-35. THE PROPERTY IS CURRENTLY ZONED INTERIM RURAL RESIDENCE. APPLICANT IS REQUESTING COMMUNITY COMMERCIAL ZONING WHICH IS ZONING AND PLATTING COMMISSION RECOMMENDED WITH A CONDITIONAL OVERLAY. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER 11, C14-04-111 -- [AUDIO DIFFICULTIES] THE MICROPHONE DIED, BUT IT'S BACK. THE PROPERTY IS LOCATED AT 2105 THROUGH -- AND 2107 BOCA RATON DRIVE. EXISTING ZONING IS INTERIM RURAL RESIDENCE. APPLICANTS ARE REQUESTING COMMUNITY COMMERCIAL TO WHICH THE PLANNING -- PLATTING -- ZONING AND PLATTING COMMISSION ADDED A CONDITIONAL OVERLAY AND THE CASE IS READY FOR ALL THREE READINGS. MAYOR, THAT CONCLUDES THE CONSENT AND POSTPONEMENT ITEMS UNDER THE 4:00 PUBLIC HEARING SEGMENT OF OUR AGENDA.

Mayor Wynn: THANK YOU, MS. GLASGOW. COUNCIL, OUR CONSENT AGENDA ON OUR ZONING CASES THIS AFTERNOON WILL BE ON ITEM Z-1 THROUGH 8 TO BE POSTPONED TO OCTOBER 21, 2004. ITEM Z-9 APPROVAL ON ALL THREE READINGS. Z-10 APPROVAL ON ALL THREE READINGS. AND Z-11 APPROVED IN ALL THREE READINGS. I'LL ENTERTAIN A MOTION.

Thomas: SO MOVED.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMASED, SECONDED BY COUNCILMEMBER DUNKERLEY TO CLOSE THE

PUBLIC HEARING AND APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL IN FAVOR SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7 TO ZERO.

MAYOR, THAT TAKES US TO OUR EARLIER ITEMS FOR DISCUSSION, ITEMS 30 TO 933 WHICH PERTAIN -- -- 33. MIKE WALTERS WILL PRESENT THOSE ITEMS.

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS MARK WALTERS FOR THE CITY OF AUSTIN PLANNING AND ZONING DEPARTMENT. I'LL BE PRESENTING AGENDA ITEMS 30, 31 AND 33 RELATED TO THE CENTRAL AUSTIN COMBINED PLAN. THE FIRST ITEMS I'LL BE PRESENTING -- [AUDIO DIFFICULTIES] ITEMS 30 AND 32, AND THAT RELATES TO AMENDING THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLANS FUTURE LAND USE MAP AND THE REZONINGS TO IMPLEMENT THAT LAND USE MAP. THE FIRST ITEM FOR DISCUSSION IS TRACT 40, 1230 THROUGH 1232 MLK BOULEVARD. EARLIER THIS WEEK WE -- STAFF, PROPERTY OWNER, AGENT AND THE NEIGHBORHOOD BOTH JUDGES HILL AND WEST UNIVERSITY MET AND CAME UP WITH AN AGREEMENT FOR THE ZONING. AND FOR THE FUTURE LAND USE. THE FUTURE LAND USE WOULD BE OFFICE MIXED USE AND THE ZONING WOULD BE GENERAL OFFICE MIXED USE COMBINING DISTRICT NEIGHBORHOOD PLAN, WITH A LIMIT OF ONE RESIDENTIAL UNIT AND A HEIGHT LIMIT OF 42.25 FEET AND PROHIBIT GROUP RESIDENCE, CLUB OR LODGE AND COMMUNITY RECREATION PRIVATE. REPRESENTATIVES FROM THE NEIGHBORHOOD AND THE PROPERTY OWNER ARE HERE IF YOU HAVE ANY QUESTIONS. IF NOT, I'LL BE HAPPY TO ANSWER ANY QUESTIONS AT THIS TIME.

Mayor Wynn: THANK YOU, MR. WALTERS. QUESTIONS OF STAFF, COUNCIL? OR OF ANY OF THE PARTIES? COUNCILMEMBER DUNKERLEY.

Dunkerley: I WOULD JUST LIKE TO SAY THANK YOU TO THE NEIGHBORHOOD GROUP AND TO THE OWNER FOR WORKING ON. I THINK I DO OWE SOMEBODY A DINNER SO I WILL FOLLOW UP ON THAT FROM LAST WEEK.

Mayor Wynn: OKAY.

Dunkerley: MR. DAMRON GETS A DINNER.

AND THERE IS STILL -- REQUIRES SIX OF SEVEN VOTES.

Dunkerley: WE'RE GETTING TOGETHER FOR DINNER.

[INAUDIBLE]

Dunkerley: I'M PAYING.

Mayor Wynn: YOU MAKE A GOOD POINT. THERE'S STILL A VALID PETITION, YET WE'RE TOLD THERE'S AGREEMENT?

CORRECT. ALL THE PARTIES ARE IN AGREEMENT, BUT THEY DIDN'T HAVE TIME TO WITHDRAW THE VALID PETITION. THAT'S THE CASE WHERE THERE ARE AGREEMENTS AND VALID PETITIONS FOR THE REST OF THESE CASES, IT WOULD REQUIRE SIX OF SEVEN VOTES.

Mayor Wynn: SO HELP ME ALSO CORRELATE THE TRACK NUMBERS -- TRACT NUMBERS IN THESE EMOTIONS WE'LL BE HAVING, ACTION WE'LL HAVE WITH OUR AGENDA. IS TRACT 40 ESSENTIALLY CASE -- ITEM NUMBER 30?

IT IS A PARTED A PART OF 30 AND 32.

Mayor Wynn: OKAY. CORRECT. SO BY FOLLOWING YOUR MOTION SHEET ON THESE INDIVIDUAL TRACTS, WE'RE TAKING INTO ACCOUNT THE TWO AGENDA ITEMS IN THE SEQUENCING OF THOSE TWO.

THAT IS CORRECT.

Mayor Wynn: OKAY. FORGIVE ME FOR DOUBTING YOU. COUNCIL, FURTHER QUESTIONS, COMMENTS? IF NOT, I'LL ENTERTAIN A MOTION ON TRACT 40 OF THE WEST UNIVERSITY PLAN.

Goodman: I DO HAVE A QUESTION.

Mayor Wynn: AS I SAID THAT AGAIN, WE HAVE SOME FOLKS

HERE TO ANSWER QUESTIONS IF COUNCIL HAS THEM. IN FACT, COUNCIL, ACTUALLY WITHOUT OBJECTION, IS MATILDA SHRADE STILL HERE? WOULD YOU APPROACH THE PODIUM? I JUST WANT TO --.

THANK YOU VERY MUCH AGAIN FOR GIVING ME A MINUTE. WE HAVE BEEN TALKING ABOUT THIS TRACT AND NU-GO FOR A LONG TIME. FIRST IT WAS A FOREIGN LANGUAGE, BUT NOW IT'S PART OF MY DAILY VOCABULARY. NOW I THINK THEY ARE APPROVING G.O. WE WERE M.U. I SAW TWO DAYS AGO THE PLAN. SHE CAME TO MY HOUSE WITH THESE PLANS AND WE SAW THEM. AND THE BUILDING IS A BOX, VERY LONG BOX FACING LAMAR. AND THE ROOF IS LIKE THAT. OKAY? AND RIGHT THERE -- AND RIGHT THERE THERE ARE EIGHT OR I DON'T KNOW HOW MANY, I DIDN'T COUNT THEM, COMPRESSORS, AIR CONDITIONING UNITS, HUGE LIKE THAT. ALL THAT SIDE OF THE BUILDING FACES THE NEIGHBORHOOD. FACES US. SO WE ARE HAVING NOISES, OKAY? BUT FOR G.O., [INAUDIBLE]. RIGHT BEHIND THESE THINGS IS A BALCONES LUMBER COMPANY. TWO UNITS. [INAUDIBLE] BEAUTIFUL SCENE OR SOMETHING. I DON'T KNOW, BECAUSE I FEEL THEY ARE NOT GOING TO SEE THAT. THAT TAKES CARE OF THE NOISE, I THINK, THOSE THINGS. THE ROOF IS LIKE THIS. SO THEY HIDE, BUT MS. THERESA PROMISED ME 42 FEET HEIGHT. I REALLY WANT IT TO BE IN FAVOR OF MS. THERESA, BUT PERMITS ME 42-FOOT HEIGHT AND THE PLAN IS STIPULATE IT'S 60, 59 AND A HALF FEET HIGH. IF YOU LOOK AT CAREFULLY AND PROBABLY THE NEIGHBORS HAVE DONE IT BECAUSE [INAUDIBLE] ATTENDED THOSE MEETINGS. HOW DO I KNOW THIS? I'M NOT AN EXPERT. I'M NOT AN ARCHITECT. BUT I HAVE TWO FRIEND OF MINE WHO ARE ARCHITECTS THERE AND THEY COULD [INAUDIBLE]. SO IT'S A HUGE BUILDING. IF, ALL RIGHT? I HAVE BEEN ALSO TOLD KNOW THAT THIS IS NOT THE FORUM TO SAY OF THIS. BUT IF IT IS NOT, WHERE I'M GOING SAY THIS. AND HOW ARE YOU GOING TO TAKE AN INFORMED VOTE IF YOU DON'T KNOW ALL THIS. I WOULD LIKE TO SAY MUCH MORE, BUT THAT'S THE ESSENCE OF WHAT I CAN SAY ABOUT THIS BUILDING. AND IT'S NOT BLENDING WITH THE NEIGHBORHOOD, IT'S NOT TAKING CARE OF THE NEIGHBORS. IT'S JUST THERE. LIKE A HUGE ITALIAN VILLA. IT WOULD BE GOOD IN THE [INDISCERNIBLE] OR

[INDISCERNIBLE]. FOR LAMAR AND MLK, SORRY, OUT OF PLACE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. SHRADE. COUNCIL, FURTHER COMMENTS OR QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON TRACT 40 IN THE WEST UNIVERSITY NEIGHBORHOOD. PLAN.

Dunkerley: MAYOR, I MOVE APPROVAL OF THE -- OF ITEM 30 AND 32 TO INCORPORATE THE NEW AGREEMENT BETWEEN THE NEIGHBORHOOD AND THE OWNERS THAT REDUCES THE HEIGHT AND GIVES SOME LEEWAY ON SOME OF THESE.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLEY TO SHOW THE LAND USE DESIGNATION AS OFFICE, MISSIONED USE AND TO SHOW THE ZONING AS GO-MU-COMT, LIMIT OF ONE RESIDENTIAL UNIT AND A HEIGHT LIMIT OF 42.25 FEET. PROHIBIT THE FOLLOWING USES: GROUP RESIDENCE, CLUB OR LODGE, COMMUNITY RECREATION, PRIVATE. SECONDED BY COUNCILMEMBER ALVAREZ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THE NEXT ITEM FOR DISCUSSION IS TRACT 44 COMPOSED OF TWO ADDRESSES, 220 THE SHOAL CREEK AND 2301 SHOAL CREEK. THE NEIGHBORHOOD AND THE PROPERTY OWNER HAVE COME TO AN AGREEMENT AND THAT IS HIGHLIGHTED IN THE MIDDLE OF THE MOTION SHEET FOR 2209 SHOAL CREEK, THE LAND USE DESIGNATION WOULD BE OFFICE, MIXED USE. THE ZONING WOULD BE WITH THE FOLLOWING CONDITIONS. IMPERVIOUS COVER SHALL NOT EXCEED 80 PERCENT. NO MORE THAN 24,000 SQUARE FEET OF RESIDENTIAL USE SAY LOUD. THE FLOOR TO AREA RAEURB ROW MAY NOT EXCEED .75 TO ONE. NO ACCESS TO WEST 22nd STREET -- 22nd AND A HALF STREET TOE INGRESS OR EGRESS. INDIVIDUAL RESIDENTIAL UNITS NO LONGER THAN 1200 SQUARE FEET. NO STRUCTURE LOCATED ON THE REAR 90 FEET OF THE TRACT MAY EXCEED A HEIGHT OF 570 FEET ABOVE MEAN SEA LEVEL. AND NO STRUCTURE LOCATED ELSEWHERE ON THE TRACT MAY EXCEED THE HEIGHT OF 578 FEET ABOVE MEAN SEA LEVEL. FOR 2301, THE LAND USE DESIGNATION WOULD BE SINGLE-FAMILY WITH THE ZONING

BEING SINGLE-FAMILY-3, CO-MMP WITH A HEIGHT LIMIT OF 30 FEET WHICH IS NOT MENTION ODD THE SHEET. THE NEIGHBORHOOD ARE HERE IF YOU HAVE ANY QUESTIONS. IF NOT, I'LL BE HAPPY TO ANSWER ANY QUESTIONS AT THIS TIME.

Mayor Wynn: THANK YOU, MR. WALTERS. QUESTIONS OF STAFF, COUNCIL? SOME OF THE PARTIES?

THIS WOULD BE AGENDA ITEMS 30 AND 32.

Mayor Wynn: CORRECT. THANK YOU. IF NOT, HEARING NO COMMENTS, I'LL ENTERTAIN A MOTION ON TRACT 44 OF THE WEST UNIVERSITY NEIGHBORHOOD PLAN, THAT BEING 2209 AND 2301 SHOAL CREEK.

ONE SECOND MAYOR, I JUST WANTED -- ONE OF THE NEIGHBORHOOD PEOPLE INFORMED ME THAT OVER IN THE COMMENTS SECTION THERE IS -- THE NEIGHBORS HAVE REQUESTED AND THE PROPERTY OWNERS' AGENT HAS AGREED TO ALSO TO PROHIBIT THE FOLLOWING USES. AND THAT WOULD BE GROUP RESIDENCE, CLUB OR LODGE, COMMUNITY RECREATION, PRIVATE AS WELL AS THESE OTHER CONDITIONS I JUST MENTIONED.

Mayor Wynn: KWREBGT. THOSE-- CORRECT. THOSE SHOW UP ON OUR MOTION SHEET. CAN COUNCIL ENTERTAIN A MOTION ON TRACT 44? KPH-DZ.

Alvarez: MOVE APPROVAL, MAYOR. [INAUDIBLE] AS LAID OUT IN THE MOTION SHEET.

MICROPHONE. [INAUDIBLE]

Alvarez: I MAKE -- I'LL MOVE THAT WE ADOPT THE LAND USE DESIGNATION AND ZONING RECOMMENDATION AS LAID OUT FOR THIRD READING IN THE MOTION SHEET INCLUDING, YOU KNOW, THE PROVISION THAT'S LISTED UNDER COMMENTS THAT PROHIBITS THE FOLLOWING USE: GROUP RESIDENCE, CLUB OR LODGE AND COMMUNITY RECREATION, PRIVATE. SO THAT'S PART OF THE MAIN MOTION.

IT WAS NOT LISTED ON THE MOTION SHEET, THE HEIGHT

LIMITATION, 30 FEET THAT IS CORRECT IS IN ADDITION.

Alvarez: WITHIN WE'LL ADD TO THAT A HEIGHT LIMIT OF 30 FEET.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ TO APPROVE ON THIRD READING FOR TRACT 34.

Thomas: SECOND.

Mayor Wynn: THAT IS 2209 SHOAL CREEK. AND 2301 SHOAL CREEK. AS OUTLINED. I'M NOT GOING TO REPEAT THE WHOLE MOTION. WELL DONE BY MR. WALTERS. FURTHER COMMENTS? QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

BOTH REPRESENTATIVES FROM THE NEIGHBORHOOD AND PROPERTY OWNER ARE HERE. IF NOT, I'LL BE HAPPY TO ANSWER ANY QUESTIONS AT THIS TIME.

Mayor Wynn: THANK YOU, QUESTIONS OF STAFF? OR THE NEIGHBORHOOD OR PROPERTY OWNER?

THAT WOULD BE AGENDA ITEM 30 AND 32.

THANK YOU, AGAIN, COUNCIL WE ARE TAKING JUST THAT PART OF TRACT 49, THE ADDRESS IS 2307 LONGVIEW STREET. COUNCILMEMBER DUNKERLY?

Dunkerly: I'LL -- WAS THE OWNER WILLING TO EXCLUDE THE CLUB OR LODGE AND THE COMMUNITY RECREATION PRIVATE?

DAVID CONNALLY THE OWNER IS HERE TO ANSWER THAT QUESTION.

LET ME ASK MARK. ACTUALLY, QUICKLY, ABOUT THAT. OH, I DON'T MIND THAT. THAT'S ALL RIGHT.

Mayor Wynn: SO YOU WOULD BE IN AGREEMENT TO THOSE

LIMITATIONS SHOULD --

I AGREE TO THOSE LIMITATIONS, YES.

OKAY, THANK YOU.

Dunkerly: CAN I ASK ONE MORE QUESTION?

Mayor Wynn: COUNCILMEMBER DUNKERLY, YES, MA'AM.

Dunkerly: TO THE STAFF PERSON, PLEASE. ON -- YOU SAY THE -- THE OWNER AGREED TO THE 30-FOOT HEIGHT LIMIT, BUT HE WANTED THREE RESIDENTIAL UNITS. WITH THE SF-3 COULD HE BUILD A GARAGE APARTMENT OR ANYTHING BEHIND THOSE? NO, BECAUSE CURRENTLY HE HAS A DUPLEX. THE STRUCTURE WAS ORIGINALLY BUILT AS A DUPLEX IN THE MID '30S. IN ORDER TO GET THE THIRD UNIT THE LOWEST MULTI-FAMILY THAT HE WOULD NEED WOULD BE M.F. 2 WITH THESE CONDITIONS WOULD GET HIM TO WHERE HE WOULD BE ABLE TO BUILD THAT -- THAT GARAGE APARTMENT BEHIND THE SITE.

Dunkerly: THANK YOU.

Mayor Wynn: SO GARBAGE APARTMENTS ARE -- GARAGE AMOUNTS ARE LEGAL WHEN IT'S -- MANY PEOPLE BUILD GARAGE APARTMENTS ON SF-3 LOTS, IS IT BECAUSE THERE'S ONLY A SINGLE FRONT UNIT, A TRUE SINGLE FAMILY RESIDENCE THEN THEY CAN BUILD THE GARAGE APARTMENT IN SF-3, BUT IF THE SF-3 LOT HAS AN EXISTING DUPLEX --

THAT WOULD REQUIRE MULTI-FAMILY ZONING AT THIS POINT.

Dunkerly: THANKS.

FURTHER COMMENTS, QUESTIONS?

Alvarez: MAYOR? THE EXISTING USE IS SINGLE FAMILY EXCEPT WHERE A A SECONDARY UNIT OF SOME SORT?

IT'S A DUPLEX STRUCTURE BUILT AS A DUPLEX WHICH WAS

ORIGINALLY CONSTRUCTED.

WHICH CAN BE DONE UNDER SF-3, CORRECT?

THAT'S CORRECT.

Mayor Wynn: MR. WALTERS, CAN YOU SHOW THIS TRACT IN RELATION TO WHERE IT IS ON THE BLOCK ON THAT STREET? IS THIS --

49, IT WOULD BE THE NORTHERLY PART OF THIS TRACT 49. IT'S THE NORTHERN END. IT'S RIGHT THERE.

Mayor Wynn: SO IT'S MID, MID BLOCK ON LONGVIEW BETWEEN 22nd AND A HALF AND --

24th STREET.

24th.

SF-3.

Mayor Wynn: ANY FURTHER COMMENTS, QUESTIONS?

Alvarez: I MOVE THAT WE ADOPT THE NEIGHBORHOOD PLAN STAFF RECOMMENDATION BECAUSE I THINK THAT -- THAT THE CHARACTER IN THAT VICINITY IS MORE SINGLE FAMILY ALTHOUGH IT DOES HAVE SOME MULTI-FAMILY -- ON THE WEST SIDE. I MEAN ON THE EAST SIDE. ONE OF THE GOALS WAS TO TRY TO PRESERVE AS MUCH AS THE SINGLE FAMILY THAT'S IN THIS AREA AND IT'S SLOWLY I GUESS BEING REDUCED. SO I THINK THAT -- YOU KNOW, MY -- CERTAINLY I SUPPORT THAT -- THAT VIEW THAT -- THAT AS MUCH AS WE CAN TRY TO MAINTAIN THE INTEGRITY OF THE NEIGHBORHOODS THAT ARE THERE, SINGLE FAMILY NEIGHBORHOODS, WE SHOULD TRY TO DO THAT AND THAT'S -- THAT'S WHAT THE NEIGHBORHOOD PLAN AND STAFF RECOMMENDATION WAS AND WHAT WE HAVE APPROVED ON -- ON FIRST AND SECOND READING. SO I WILL MOVE FOR TRACT 49, 2307 LONGVIEW STREET AND 2305 LONGVIEW STREET.

WE ARE ONLY CONSIDERING AT THIS POINT 2307 LONGVIEW.

OKAY, JUST 2307. SO I WOULD MOVE THIRD READING THE SF-3 CO-NP WITH A HEIGHT LIMIT OF 30 FEET.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ TO APPROVE ON THIRD READING THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY AND THE ZONING OF SF-3 CO-NP WITH A HEIGHT LIMIT OF 30 FEET ON 2307 LONGVIEW. SECONDED BY COUNCILMEMBER THOMAS.

Goodman: MAYOR?

Mayor Wynn: MAYOR PRO TEM?

Goodman: CAN I ASK MARK TO REFRESH ME ON WHAT THE BONES OF CONTENTION WERE.

CURRENTLY ON THE SITE THERE IS SIMPLY A DUPLEX, THOUGH FROM THE PROPERTY TO THE SOUTH, 2305 THERE'S AN INDICATION THAT THAT DUPLEX AT ONE POINT WHEN IT WAS ORIGINALLY CONSTRUCTED DID HAVE A GARAGE APARTMENT, IT'S MY UNDERSTANDING FROM TALKING WITH MR. JENKINS THE OWNER OF 2305 AND THE NEIGHBORHOOD REPRESENTATIVES, I THINK THEY JUST WANTED TO PRESERVE THE SINGLE FAMILY CHARACTER AND THAT'S WHY THEY PUSHED FOR THIS RECOMMENDATION. BUT -- BUT THEY ARE HERE, IF YOU HAVE ANY QUESTIONS OF THEM, THEY CAN SPEAK MORE -- MORE TO THAT, WHAT THEIR ISSUES WERE.

MR. WALTERS, SO ON THE -- I DON'T KNOW WHAT WE ARE CALLING THIS, THE ACTUAL LAND USE PLAN MAP, THE HATCHED TRACK THAT'S ADJACENT TO THE SOUTH --

YES, THAT WOULD BE -- THAT'S A CURRENT BED AND BREAKFAST, SOUTH OF WHERE IT SAYS 49 ON THE MAP.

YES.

Mayor Wynn: SO BED AND BREAKFAST I GUESS TECHNICALLY IS -- IS A C.S.? WHAT IS IT --

THAT LAND USE DESIGNATION ON THAT, M.F. 3, THANK YOU.
OF THESE TWO TRACTS, OF THIS COMBINED TRACT 49,
WHICH OF THE TWO ADDRESSES IS ACTUALLY ADJACENT TO
I GUESS THE REAR LOT LINE OF THE --

THE BED AND BREAKFAST? THAT WOULD BE 2304 THE NEXT
TRACT FOR -- 2305 THE NEXT TRACT THAT WE ARE
CONSIDERING UNDER TRACT 49. THE COLORED MAP
REPRESENTS THE EXISTING ZONING AS WELL AS WHAT
COUNCIL APPROVED TO DATE THROUGH COUNCIL ACTIONS
ON THIRD READING. SO THAT'S -- IT'S A CLOSE
APPROXIMATION. WE DON'T HAVE ALL OF THE DATA
ENTERED INTO THE SYSTEM YET, BUT THIS IS A GOOD
REPUTATION OF WHAT THE ZONING IS.

Mayor Wynn: THANK YOU, THIS HELPS A LOT. FURTHER
QUESTIONS, COMMENTS?

[INDISCERNIBLE]

Mayor Wynn: WITHOUT OBJECTION, COUNCIL, YES, MA'AM.
WELCOME.

I WOULD LIKE TO SAY THAT WE HAVE RESEARCHED THIS
PROPERTY AND AS FAR AS WE CAN TELL THERE HAS NEVER
BEEN A GARAGE APARTMENT ON THIS PROPERTY. 05 AND 03
WERE BOTH BUILT AT DUPLEXES IN THE MID -- THEY WERE
BUILT IN '40, '41, THE MID '50S A GARAGE AMOUNT WAS
ADDED TO THE 05 ADDRESS BUT THE CITY SHOWS NOTHING
BUT TWO ADDRESSES GOING ALL THE WAY THROUGH.
LYNNBACKER LOOKED AT THE FIRE MAPS AND THEY SHOW
NO GARAGE APARTMENT EVER ON THIS PROPERTY, EITHER.
SO THIS ALSO BACKS UP THE -- THE 05, SINCE IT'S A SIDE
STREET, PART OF IT IS ON -- BACKS UP TO THE
MANUFACTURE 3 THAT IS -- THE M.F. 3 THAT IS THE BED AND
BREAKFAST. BUT THE FRONT PART AND BACK PART OF IT
ARE RIGHT BEHIND THE PLACE THAT I LIVE WHICH IS SF-3
AND THE ONE ON THE CORNER WHICH IS ALSO SF-3.

Mayor Wynn: CORRECT. THANK YOU. THANK YOU, BARBARA.

Thomas: LET ME ASK A QUESTION. I SECONDED THIS AND
WASN'T -- DID YOU AGREE -- YOU ARE NOT AGREEING WITH

THE HEIGHT LIMIT, RIGHT?

YES, I AM TO ANSWER THAT AS WELL AS MANY OTHER RESTRICTIONS IF I MAY DISCUSS THEM. AND IN ADDITION TO THE MULTI-FAMILY 2, WE ARE AGREEING TO A SINGLE FAMILY 3 BUILDING COVERAGE LIMITATION. YOU MAY RECALL THAT -- THAT THE REQUEST WE MADE BEFORE WAS TO ALLOW US TO -- TO BUILD A THIRD UNIT AS WE ORIGINALLY PLANNED. AND TO ALLOW US TO HAVE THE -- THE -- THE ADDITIONAL BUILDING COVERAGE WITHOUT HAVING TO -- TO AFFECT THE ORIGINAL DUPLEX, WHICH IS A '30S STRUCTURE. SO WE ASKED FOR THIS COMPROMISE, WHICH I BELIEVE IS FAIR BECAUSE WE ARE LIMITED TO THE SF-3 BUILDING COVERAGE, BUT IT ALLOWS US TO HAVE IT WITH A -- WITH A SECOND STRUCTURE, WHICH WOULD ALLOW TO US KEEP THE ORIGINAL DUPLEX AS IT IS. OTHERWISE -- OTHERWISE ANY EXPANSION IF WE DID ON THE PROPERTY REQUIRES AT THIS POINT TO DESTROY THE ORIGINAL DUPLEX, WHICH WE FEEL IN EFFORT TO KEEP THE -- THE QUALITY OR, YOU KNOW, THE APPEARANCE OF THE ORIGINAL NEIGHBORHOOD IS -- WHAT WE ALL WANT. THAT'S WHY WE CAME UP WITH THIS PROPOSAL. WE HAVE MANY ADDITIONAL RESTRICTIONS. IT'S NOT JUST MULTI-FAMILY 2. WE HAVE ADDITIONAL -- ADDITIONAL TO THAT, WE HAVE RESTRICTIONS OF ONLY HAVING THREE MINUTES -- THREE UNITS TOTAL.

THANK YOU, MR. CONNALLY. TO APPROVE ON THIRD READING SF-3 LAND USE AND ZONING -- MR. WALTERS REMIND US, THE OWNER HAS A VALID PETITION AGAINST THAT ZONING. THAT IS CORRECT.

Mayor Wynn: REQUIRES SIX VOTES.

YES.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THE NEXT PART OF TRACT 49 WOULD BE 2305 LONGVIEW STREET. THE NEIGHBORHOOD HAS -- BECAUSE IT IS CURRENTLY A TRI PLEX USE, DUPLEX IN THE FRONT, A GARAGE APARTMENT TO THE REAR OF THE PROPERTY. THE NEIGHBORHOOD PROPOSES A MULTI-FAMILY LAND USE DESIGNATION. THE ZONING OF MANUFACTURE 1 CO-NP WITH A CONDITION THE HEIGHT LATE. LIMITATION TO 30 FEET [INDISCERNIBLE], PROHIBIT CLUB OR LODGE AND COMMUNITY RECREATION PRIVATE. THE PROPERTY OWNER DOES NOT AGREE WITH THIS RECOMMENDATION AND WOULD LIKE TO RETAIN MORE M.F. 3 ENTITLEMENTS AND HE CAN ANSWER, MR. JENKINS IS PRESENT AND HE CAN ANSWER ANY QUESTIONS. THE NEIGHBORHOOD IS PRESENTS IF YOU HAVE ANY QUESTIONS WITH THEM. IF NOT I WOULD BE HAPPY TO ANSWER ANY QUESTIONS AT THIS TIME.

Mayor Wynn: QUESTIONS, COUNCIL? FROM STAFF OR OTHERS? MR. WALTERS, I'M SORRY, I PROBABLY SAID THIS. THIS TRACT HAS AN EXISTING GARAGE APARTMENT OR A THIRD UNIT.

MR. JENKINS HAS COMMUNICATED TO ME THAT HE WOULD LIKE TO REFURBISH THE SITE BUT IN ORDER TO MAKE IT ECONOMICALLY FEASIBLE HE FEELS THAT HE WOULD NEED ONE MORE UNIT IN ORDER TO HELP RECOUP THE COST OF REMODELING AND REFURBISHING THE OTHER TWO USES.

THE DUPLEX AND THE GARAGE APARTMENT.

THIS ADDRESS IS THE LOT THAT'S TO THE NORTH OF WHAT WE JUST TOOK ACTION ON.

THE BED AND BREAKFAST. NO TO THE SOUTH.

THIS IS THE ONE THAT ABUTS THE REAR YARD OF THE BED AND BREAKFAST?

THAT'S CORRECT.

Mayor Wynn: AND HAS AN EXISTING THIRD UNIT.

YES, THE GARAGE APARTMENT.

Mayor Wynn: THANK YOU. QUESTIONS, COUNCIL?
COMMENTS?

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ? I WILL JUST STATE THAT JUST TO BE CONSISTENT, I MEAN, I WOULD SUPPORT THE SAME ZONING FOR THIS TRACT THAT WE JUST DID FOR THE OTHER GENTLEMAN, ALTHOUGH OBVIOUSLY IT APPEARS THAT THE NEIGHBORHOOD MAY HAVE -- ARTICULATED SOMETHING A LITTLE MORE INTENSE, BUT CERTAINLY IF WE GO WITH THAT OPTION, I WOULD LIKE FOR THESE TWO PROPERTIES TO BE TREATED EQUALLY OR -- OR SIMILARLY. SO -- SO IF I HAD TO MAKE A MOTION, I WOULD MAKE A MOTION FOR THE SF-3 CO-NP TO BE CONSISTENT, WHICH I THINK AGAIN THIS IS WHAT -- WHAT WAS THE ORIGINAL RECOMMENDATION FROM THE NEIGHBORHOOD PLAN AND STAFF.

MR. WALTERS, CAN YOU HELP ME THEN WITH -- WITH WHAT APPEARS TO BE SORT OF A -- SOMEWHAT OF A COMPROMISE POSITION ON THE M.F. 1 CO-NP, DOES THAT MAKE THE THREE UNITS BOTH LEGAL AND CONFORMING? IS THAT A -- DOES THAT ESSENTIALLY TAKE INTO ACCOUNT WHAT'S ON THE GROUND TODAY?

LEAVING IT, YES, MAYOR. IT WOULD -- FOR WHAT HE HAS ON THE GROUND TODAY HE WOULD NEED JUST UNDER 10,000 SQUARE FEET OF SITE AREA, WHICH HE -- WHICH HE CURRENTLY HAS 10,500. SO THE M.F. 1 WITH THIS WOULD -- AS BEING -- SPELLED OUT WITH THE NEIGHBORHOOD'S REQUEST WOULD MAKE HIM LEGAL CONFORMING.

I'M CURIOUS, JUST FOR MY REFERENCE, SO THE TRACT THAT WE JUST TOOK ACTION ON, 2307 LONGVIEW, IF IT HAD THE M.F. 1 CO-NP IF IT HAD THE SAME LIMITATION THAT SEEMS TO MAKE 2305 LEGAL AND CONFORMING, ESSENTIALLY SORT OF AS IS, WHAT DOES THAT -- COULD A THIRD UNIT BE BUILT ON -- ON 2307 OR -- OR THE NATURE OF THAT LOT AND OTHER -- COMPATIBILITY STANDARDS MAKES

THAT NOT PRACTICAL?

WELL, COMPATIBILITY I WOULD HAVE TO LOOK MORE CLOSELY AT THAT. BUT JUST FROM THE SITE AREA REQUIREMENTS OF M.F. 1, YOU COULD NOT BUILD A THIRD UNIT ON -- ON THE 2307 SITE WITH -- WITH THE M.F. 1 ZONING BECAUSE HE HAD A SMALLER SITE AREA. I THINK IT'S 80, 88 OR 8600 FEET, 8800 SQUARE FEET IN ORDER TO GET THAT HE WOULD NEED THE -- WHAT WAS -- THE PROPERTY OWNER WAS REQUESTING, WHICH WOULD BE THE M.F. 2 WITH THOSE LIMITATIONS IN ORDER TO GET THE THIRD UNIT.

OKAY.

Mayor Wynn: AGAIN THE BED AND BREAKFAST TRACT IS -- IS M.F. 3.

THAT IS CORRECT.

WITH THE NEIGHBORHOOD PLAN ESSENTIALLY SOME RESTRICTIONS ON -- ON --

USE AND HEIGHT ON THE -- ON THE BED AND BREAKFAST.

THANK YOU, FURTHER QUESTIONS, COMMENTS? I WILL ENTERTAIN A MOTION ON 2305 LONGVIEW, THAT PART OF TRACT 49 IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN.

I MOVE THAT WE APPROVE ON THIRD READING WHAT -- WHAT WAS ALREADY APPROVE ODD FIRST AND SECOND, WHICH IS SFPSF-3 C.E.O.-NP LUMENT -- CO-NP LIMITING THE HEIGHT TO 35 FEET, WHICH IS THE NEIGHBORHOOD PLAN STAFF RECOMMENDATION.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ ON 2305 LONGVIEW SHOWING THE FUTURE LAND USE DESIGNATION AS SINGLE FAMILY AND THE ZONING ON THIRD READING OF SF-3 CO-NP HEIGHT LIMITATION OF 30 FEET.

Dunkerly: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER DUNKERLY.

AGAIN, WITH A VALID PETITION, THIS WILL TAKE SIX VOTES.

THAT IS CORRECT.

I MIGHT INQUIRE, DOES THIS ALSO INCLUDE THE PROHIBITED USES ON CLUB OR LODGE AND COMMUNITY RECREATION.

YES. YES, I THINK THAT'S WHAT THE NEIGHBORHOOD'S DESIRE AND MR. DAMERON REPRESENTING THE NEIGHBORHOOD CAN SPEAK TO THAT IF YOU HAVE QUESTIONS OF HIM.

Alvarez: ACTUALLY, MAYOR, I DIDN'T STIPULATE THAT FOR THE PREVIOUS TRACT, SO I'M NOT GOING TO STIPULATE IT FOR THIS TRACT, EITHER.

Mayor Wynn: OKAY. AGAIN THE MOTION IS SF-3 CO-NP HEIGHT LIMIT OF 30 FEET. REQUIRING SIX AFFIRMATIVE VOTES. FURTHER COMMENTS? QUESTIONS? I'LL SAY THAT I -- THAT I SEE THIS TRACT AS SLIGHTLY DIFFERENT THAN THE TRACT BEFORE. BOTH WITH ITS ADJOINING USE, THE EXISTING USE, AND SO I WILL -- I WOULD HAVE PREFERRED -- WILL PREFER TO -- TO TAKE THE NEIGHBORS UP ON THEIR M.F. 1 COMPROMISE OFFER.

DO YOU WANT TO MAKE A SUBSTITUTE MOTION?

Mayor Wynn: COUNCILMEMBER SLUSHER?

Slusher: I CAN UNDERSTAND THAT. BUT I -- I DON'T UNDERSTAND THEN WHAT'S THE DIFFERENCE FROM THE NEIGHBORHOOD'S PERSPECTIVE BETWEEN THIS AND THE TRACT WE JUST VOTED ON PREVIOUSLY?

I'M JIM DAMERON FROM WEST UNIVERSITY NEIGHBORHOOD ASSOCIATION. I THINK THE DISTINCTION IS THAT ONE IS CURRENTLY A SINGLE FAMILY USE WITH A DEEP PLEX ON IT. THE -- DUPLEX ON IT, THE OTHER IS CURRENTLY MAKING USE OF A MULTI-FAMILY DESIGNATION. WE TRIED THROUGHOUT THE NEIGHBORHOOD WHERE THERE IS A -- THERE IS A SINGLE FAMILY USE, THIS HAS BEEN TRUE OF MANY OTHER PROPERTIES THAT THE COUNCIL HAS ALREADY VOTED ON, WHETHER WHERE THERE'S A SINGLE

FAMILY USE AND A MULTI-FAMILY ZONING TO BRING THAT MULTI-FAMILY ZONING DOWN TO SINGLE FAMILY USE. THIS PARTICULAR PIECE OF PROPERTY HAS BEEN SITTING THERE FOR AT LEAST 20 YEARS, AS A DUPLEX. AND THERE'S BEEN NO ATTEMPT TO DO A MULTI-FAMILY PROJECT ON IT OF ANY KIND AND IN ORDER TO BRING THE NEIGHBORHOOD BACK INTO A SINGLE FAMILY SITUATION, WE HAVE TRIED TO TAKE THOSE KINDS OF PROPERTIES AND DESIGNATE THEM WITH SINGLE FAMILY ZONING. IF YOU ARE LOOKING AT THE PROPERTY AT 2305, YOU HAVE GOT A PIECE OF PROPERTY THAT WOULD BE NON-CONFORMING. IF YOU MOVED IT BACK TO SF-3. WE TRIED NOT TO DO THAT TO ANYBODY. IF IT'S SF-3 WITH MAXIMUM 3,000 SQUARE FOOTAGE OF FLOOR SPACE, THEN THE PROJECT, EVEN THOUGH IT'S GOT AN M.F. ZONING STAYS ABOUT THE SAME AS IT IS. THE M.F. ZONING DOESN'T EXPAND IN SIZE AND SQUARE FOOTAGE. IT DOESN'T EXPAND IN TERMS OF NUMBER OF UNITS. BUT IT'S NOT NON-CONFORMING, EITHER. SO THAT'S THE REASON FOR THE COMPROMISE ON THAT PROPERTY AS OPPOSED TO THE OTHER ONE. 2307 IS SF-3 USE. BEEN THAT WAY FOR 20 YEARS. EVEN THOUGH IT'S GOT AN M.F. ZONING ON IT. WHEREAS 2305 HAS THREE UNITS ON IT WHICH MAKES IT MULTI-FAMILY AND IT WOULD BE NON-CONFORMING IF IT WERE GIVEN AN SF-3 ZONING DESIGNATION.

Slusher: OKAY. WHAT WOULD BE THE DAMAGE TO THE NEIGHBORHOOD IF THE -- LET ME -- 2307 IS THE FIRST ONE WE TALKED ABOUT?

RIGHT.

WHAT WOULD BE THE DAMAGE IF THERE WAS ANOTHER UNIT BUILT BEHIND THERE?

JUST ANOTHER MULTI-FAMILY UNIT. I GUESS IT'S HARD TO KNOW WHAT THE DAMAGE FROM ANY GIVEN UNIT IS. BUT THE MORE YOU MOVE AWAY FROM SINGLE FAMILY IN THE NEIGHBORHOOD, THE MORE PEOPLE YOU HAVE LIVING THERE. THEORETICALLY THAT'S ANOTHER, YOU KNOW, TWO OR THREE OR FOUR PEOPLE LIVING ON THAT LOT. AND OVER TIME YOU GET ENOUGH THREE UNIT PROJECTS ON LOTS, YOU REALLY DEVELOP AN INCOMPATIBLE USE WITH

THE SINGLE FAMILY THAT'S AROUND IT.

Slusher: WHAT'S ON EITHER SIDE OF THEIR RIGHT NOW -- OF THERE RIGHT NOW?

OF 2307?

RIGHT.

ADD JUST SENT TO 2307 ON THE EAST --

NORTH SIDE.

SF-3. RIGHT IT'S A SINGLE FAMILY RESIDENCE THERE. SINGLE FAMILY RESIDENCES ACROSS THE STREET, THERE'S ONE DUPLEX ACROSS THE STREET. THERE'S A SINGLE FAMILY TWO HOUSES DOWN FROM THAT GOING NORTH AND THERE'S ONE SINGLE FAMILY TO THE SOUTH OF THAT. IT'S MOSTLY A SINGLE FAMILY NEIGHBORHOOD AND HAS BEEN FOR A LONG TIME. ONE OF THE PROBLEMS WE FACED IN THE PLANNING PROCESS IS LOOKING AT SINGLE FAMILY NEIGHBORHOODS THAT WERE BEING UNDERMINED BY SPLOTCHES OF M.F. 3, M.F. 2, M.F. WHATEVER. THE KIND OF ARRANGEMENT WE TRIED TO WAS TO PUT THE M.F. TO THE OUTSIDE OF THE NEIGHBORHOOD TO THE EAST AND SOME OF IT TO THE WEST. TRY TO MAINTAIN AS MUCH AS WE COULD THE ACTUAL SINGLE FAMILY NATURE OF WHAT'S IN THE NEIGHBORHOOD.

Slusher: I UNDERSTAND.

WHILE AT THE SAME TIME NOT TRYING TO PUT ANYBODY INTO A NON-CON FORMING STATUS. 2307 WOULD NOT BE IN A NON-CONFORMING@TUESDAY IF WE CHANGED IT, 2309 WOULD BE. WE DON'T HAVE A PROBLEM WITH THAT STAYING MF 1 AS LONG AS THE CONDITIONS THAT WE ARE TALKING ABOUT ARE IN PLACE. THERE CAN'T BE FOUR OR FIVE OR SIX UNITS PUT UP THERE OR MORE SQUARE FOOTAGE ADDED TO A MULTI-FAMILY PROPERTY.

Slusher: THESE TWO ARE RIGHT NEXT DOOR TO EACH OTHER, RIGHT?

2307, 2309.

YES.

Slusher: WHY NOT OFFER HIM THE SAME COMPROMISE WHERE HE WOULD JUST GET ONE MORE UNIT WITH THOSE SAME CONDITIONS?

COULD DO THAT. I MEAN IT'S A PREFERENCE OF THE NEIGHBORHOOD THAT WE NOT DO THAT. THAT WE TAKE EVERY SINGLE OPPORTUNITY WE CAN TO KEEP THINGS AT SINGLE FAMILY BECAUSE THE NEIGHBORHOOD IS NOT REALLY VERY BIG. EVERY MODIFICATION YOU MAKE TO THE SINGLE FAMILY CHARACTER OF IT IS PRETTY SERIOUS TO US RIGHT NOW.

Slusher: OKAY. THANK YOU, I UNDERSTAND THAT REALLY APPRECIATE YOUR WORK ON THIS.

SURE. >>> MAYOR WYNN: THANK YOU. ACTUALLY I BELIEVE COUNCILMEMBER DUNKERLY HAS WITHDRAWN HER SECOND.

Dunkerly: I WOULD LIKE TO PROPOSE A SUBSTITUTE ITEM ON 2305 LONGVIEW, I WOULD LIKE TO GO WITH THE NEIGHBORHOOD --

Mayor Wynn: YOU HAVE WITHDRAWN YOUR SECOND. LET'S SEE IF COUNCILMEMBER ALVAREZ -- COUNCILMEMBER ALVAREZ'S MOTION CAN NOW HAVE A SECOND. WE NOW HAVE -- BACK TO A MOTION ON THE TABLE FROM COUNCILMEMBER ALVAREZ. TO APPROVE ZONING ON 2305 LONGVIEW TO SF-3 CO-NP WITH A HEIGHT LIMIT OF 30 FEET. OKAY. NOT HEARING A SECOND, I'LL NOW ENTERTAIN A DIFFERENT MOTION.

Dunkerly: I WOULD PROPOSE A MOTION ON 2305 LONGVIEW THAT REFLECTS THE NEIGHBORHOOD COMPROMISE WITH THE LAND USE OF MULTI-FAMILY, M.F. 1 CO-NP, WITH THE HEIGHT LIMIT OF 30 FEET, LIMIT OF 3,000 SQUARE FEET OF RESIDENTIAL USE, WITH A PROPER PROHIBITION AGAINST THE FOLLOWING USES, CLUB, LODGE, COMMUNITY, RECREATION, PRIVATE. MOTION MADE BY COUNCILMEMBER

DUNKERLY, SECONDED BY COUNCILMEMBER MCCRACKEN. I WON'T REPEAT THE MOTION, IT'S VERY CLEAR, WELL CRAFTED BY MR. WALTERS, THANK YOU. FURTHER COMMENTS ON THE NEW MOTION. COUNCILMEMBER SLUSHER?

I KNOW WE VOTE ODD THIS OTHER ONE ALREADY -- VOTED ON THIS OTHER ONE ALREADY. DOES ANYONE SHARE MY CONCERNS ABOUT GIVING THE M.F. 1 THERE AND ONLY THE SF-3 ON THE OTHER ONE?

Mayor Wynn: I WILL SAY I SHARE SOME CONCERNS WHICH IS WHY I ASKED -- ASKED ABOUT THE -- ABOUT THE DEVELOPABILITY OF THAT NEXT TRACT. AND -- BUT WE WERE TOLD, OF COURSE, IT WOULD TAKE M.F. 2 BECAUSE IT'S A SMALLER LOT TO GET -- TO GET THE THIRD UNIT OR ADDITIONAL STRUCTURE ON THAT TRACT. BASED ON THE EXISTING USE, THIS LAWSUIT IS SLIGHTLY LARGER, THIS LOT TECHNICALLY ABUTS THE EXISTING BED AND BREAKFAST. THE MULTI-FAMILY TRACT. I SEE SLIGHTLY DIFFERENT.

IT HAS THAT OTHER UNIT ALREADY BUILT.

CORRECT. YOU ARE WELCOME TO VOTE TO RECONSIDER THE OTHER MOTION. TECHNICALLY RIGHT NOW A MOTION AND A SECOND ON THE TABLE FOR 2305 LONGVIEW. MOTION MADE BY COUNCILMEMBER DUNKERLY, SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THE NEXT ITEM FOR CONSIDERATION -- FOR CONSIDERATION IS WE'RE ASKING FOR A POSTPONEMENT, TRACT 80 A. WE RECEIVED A PETITION THIS AFTERNOON. AND WE HAVEN'T HAD AN OPPORTUNITY TO SEE IF IT'S BEEN VALIDATED YET. SO I GOT IT AT 2:00 THIS AFTERNOON. I HAVEN'T HAD A CHANCE TO GET BACK TO THE PERSON WHO -- WHO VALIDATES THE PETITIONS. WE WOULD LIKE TO POSTPONE THIS IF POSSIBLE TO THE 21st OR OCTOBER 21st

MEETING. MOTION TO POSTPONE --

30 AND 32.

THAT'S AN ERROR ON THAT.

Mayor Wynn: THANK YOU. AGAIN, COUNCIL A PART OF AGENDA ITEM 30 AND 32, TRACT 80 A IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN, WE HAVE A REQUEST FROM STAFF FOR A POSTPONEMENT TO OCTOBER 21st, 2004.

MOTION, SECOND. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS OFF THE DAIS.

THE NEXT ITEM FOR CONSIDERATION WOULD BE AGENDA ITEMS 31 AND 33. AGENDA ITEM 31 WOULD BE TO AMEND THE CENTRAL AUSTIN FUTURE LAND USE MAP AND 33 WOULD BE THE REZONING TO IMPLEMENT THAT CHANGE. THE TRACT IS 148 A, 2829 SALADO, BETTER KNOWN AS JUNIORS BEER AND WINE. THE ORIGINAL STAFF RECOMMENDATION -- ORIGINAL STAFF RECOMMENDATION WAS L.O.-MU-CO-NP WITH AN OFFICE MIXED USE DESIGNATION. THE HEIGHT LIMIT OF 35 FEET PROHIBITING MEDICAL OFFICES LARGER AND SMALLER THAN 5,000 SQUARE FEET. ON THE 23rd OF SEPTEMBER, STAFF, NEIGHBORHOOD, THE PROPERTY OWNERS MET AND -- AND BASED ON -- ON ALLOW FOR COMMERCIAL ELEMENT AND OFFICE MIXED USE FOR THE FRONT ELEMENT WHERE THERE'S CURRENTLY A SINGLE FAMILY STRUCTURE. MR. ZAMORA AGREED TO -- TO THIS -- TO THE ZONING AND LAND USE AS DESIGNATED, SHOWN IN THE COMMENTS SECTION. WHICH WOULD BE -- WOULD BE FOR THE -- REAR 70 FEET OF THE TRACT WOULD BE COMMERCIAL MIXED USE AND FOR THE FRONT PART OF THE TRACT THE 60 FEET REMAINING WOULD BE OFFICE MIXED USE.

THE REPRESENTATIVES FROM THE NEIGHBORHOOD ARE HERE IF YOU HAVE ANY QUESTIONS. I'LL BE HERE TO

ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. WALTERS. STAFF, COUNCIL?
COMMENTS? QUESTIONS?

MS. WALTERS, A VALID PETITION ON THIS --

STILL EXISTS. BUT MR. ZAMORA DID AGREE TO THIS -- TO
THIS AGREEMENT HERE.

Mayor Wynn: I'M SORRY, DID AGREE TO THE BIFURCATED
ZONING?

YES, THAT IS CORRECT. SO IT WOULD BE -- COMMERCIAL
MIXED USE FOR THE REAR 70 FEET AND -- AND OFFICE
MIXED USE LAND USE FOR THE FRONT 70 FEET. WITH THESE
ZONING DESIGNATIONS.

Alvarez: ANOTHER QUESTION?

Mayor Wynn: COUNCILMEMBER ALVAREZ, THANK YOU. UNDER
THIS -- UNDER THIS.

Alvarez: UNDER THIS PROPOSED ZONING IT'S STILL A NON-
CONFORMING USE, RIGHT? IT DOESN'T MAKE IT A LEGAL
CONFORMING USE?

IN ORDER FOR THE COMMERCIAL PART TO BE CONFORMING
IT WOULD NEED C.S. 1 ZONING.

ALL RIGHT.

AND THEN -- IT WOULD BE NON-CONFORMING IN TERMS OF
THE SETBACKS AS WELL, RIGHT?

YES. IT WOULD BE STILL NON-CONFORMING.

Alvarez: SO IN TERMS OF ANY FUTURE DEVELOPMENT IT
WOULD HAVE TO -- TO, YOU KNOW, CONFORM TO THE NEW
GUIDELINES?

THAT IS CORRECT.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? QUESTIONS? AND MR. WALTERS, SO THAT THE -
- THE PROHIBIT THE USES -- THE PROHIBITED USES THAT SHOW AS THE NEIGHBORHOOD AND PLAN STAFF RECOMMENDATION FOR THIRD READING, MEDICAL OFFICES, UNDER -- UNDER OR OVER 5,000 SQUARE FEET --

WOULD APPLY ONLY TO THE OFFICE -- L.O. ELEMENT OF THIS.

THE FRONT 30 FEET.

THE FRONT 60 FEET.

FIRST 60 FEET, RIGHT.

IF I MAY, MR. WALTERS, THE -- THE FUTURE LAND USE MAP -- MAP WOULD SHOW COMMERCIAL MIXED USE FOR A PORTION AND THEN THE OFFICE MIXED USE FOR A PORTION?

THAT IS CORRECT.

SO THAT WHERE YOU HAVE UNDER THE FUTURE LAND USE MAP ON THE MOTION SHEET, WHAT -- IF COUNCIL WISHES TO ADOPT THE -- THE COMPROMISE, THEN THE FUTURE LAND USE MAP WOULD -- WOULD HAVE TO REFLECT THAT BY IF YOU BIFURCATION?

THAT'S CORRECT.

Mayor Wynn: OKAY, COUNCIL, FURTHER COMMENTS, QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON TRACT 148 A IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN.

THAT WOULD BE ITEMS 31 AND 33 ON THE AGENDA.

Mayor Wynn: THANK YOU.

Mayor Wynn: COUNCILMEMBER DUNKERLY, THANK YOU?

Dunkerly: I WOULD MOVE APPROVAL OF THE COMPROMISE --

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY TO --ING DID DID YOU THINK ON OMPROMISE SUGGESTION WITH [INDISCERNIBLE] WITH A HEIGHT LIMIT OF 30 FEET FOR THE REAR 70 FEET OF THE PROPERTY, THEN [INDISCERNIBLE] WITH A HEIGHT LIMIT OF 30 FEET WITH NO MEDICAL OFFICES. FOR THE -- FOR THE OTHER PORTION OF THE TRACT.

Mayor Wynn: CORRECT. ALSO SHOWING THE FUTURE LAND USE MAP AS BEING COMMERCIAL MIXED USE ON THE REAR 70 FEET AND OFFICE MIXED USE ON THE FRONT 60.

Slusher: I HAVE A QUESTION.

Mayor Wynn: I WILL SECOND THAT FOR DISCUSSION, COUNCILMEMBER SLUSHER?

Slusher: THIS IS A COMPROMISE BETWEEN WHO? I SEE ONE OF THE NEIGHBORS, MR. ALEXANDER HERE, I'M NOT SURE IF HE'S IN AGREEMENT WITH THIS OR NOT. I DON'T THINK SO, JUDGING FROM HIS E-MAIL. SO WHO IS THE COMPROMISE BETWEEN? BACK ON THE 23rd OF SEPTEMBER, MR. ZAMORA, STAFF, AS WELL AS REPRESENTATIVES FROM THE CENTRAL AUSTIN NEIGHBORHOOD PLANNING ADVISORY COMMITTEE OR CAN PACK, WE HAD A SERIES OF MEETINGS OVER 5.5 HOURS WITH ALL OF THESE CONTESTED CASES. AT THAT MEETING MR. ZAMORA WAS PRESENT AND AGREED TO THAT. MR. ALEXANDER WAS PRESENT AT THE MEETING, I DID NOT REGISTER ANY DISQUIET WITH THIS COMPROMISE AT THAT TIME.

Slusher: COULD I HAVE MR. ALEXANDER COME UP FOR A MINUTE AND ADDRESS THIS?

YOU MAY. WELCOME, SIR.

HELLO, MIKE ALEXANDER. I CAME IN LATE TO THE MEETING. I THINK IF THEY REALLY UNDERSTOOD THE SITUATION WITH THE PROPERTY, KNEW ABOUT ITRONIX MIGHT NOT -- ABOUT IT, IT MIGHT NOT HAVE BEEN SO EASY TO GRANT GR TO THE WHOLE THING. THE SKETCH YOU CAN SEE IT'S A VERY AWKWARD SITUATION. WHAT REALLY COMPLI COMPLICATES IT OF COURSE IS THAT THERE'S A PROTEST ON THE THING.

THAT'S THE FIRST I HEARD 70 FEET, OVER HALF THE PROPERTY THAT'S A LITTLE BIT AFTER SHOCK TO ME. I OFFERED SOME -- TALKED TO ALICE FOR PROPOSALS, 50 FEET BY 50 FEET WOULD HAVE BEEN AT LEAST MORE -- NOT QUITE AS SHOCKING TO ME I GUESS. FULL COMMERCIAL BEHIND ME. I NOW HAVE RETAIL ON TWO SIDES OF ME WHICH I HAVE ANYWAY BECAUSE OF NON-CONFORMING, BUT AT LEAST ON PAPER I WANTED SOME PROTECTION ON THE NORTH SIDE FROM ALL OF THE SHEDS THAT ARE REALLY JUST DEVELOPED OVER THE LAST 22 YEARS. NO BUILDING CODES OR ANYTHING. NO -- NO PERMITS OR ANYTHING. 70 FEET REALLY JUST THREW ME OFF, I GUESS.

THE 70 FEET WAS BASED ON A SURVEY THAT PROVIDED TO US -- BY MR. ZAMORA AND THE COMMERCIAL ELEMENT WAS THAT PART OF THE 70 FEET OF THE LOT.

MR. WALTERS, CAN YOU REMIND US GENERALLY THE DIFFERENCE BETWEEN GR COMMERCIAL AND THE -- THE -- THE -- ESSENTIALLY THE C.S. COMMERCIAL USES THERE IN PLACE NOW. CAN YOU DISTINGUISH THE TWO?

C.S. HAS MORE INDUSTRIAL TYPE OF USES, MORE LARGER SCALE USES, AUTOMOTIVE -- EQUIPMENT REPAIR AND SALES, CONSTRUCTION SALES AND SERVICES, WHEREAS GR IS MORE ATTUNED TOWARDS THE GENERAL RETAIL. DOESN'T HAVE QUITE THE SAME INTENSE USES AS C.S. THAT'S THE GENERAL DIFFERENCE. PLUS THE LAND DEVELOPMENT -- THE SITE DEVELOPMENT STANDARDS FOR C.S. ARE MORE LIBERAL THAN THEY ARE FOR GR. GREATER FAR, GREATER IMPERVIOUS COVER ARE THE BIGGEST DIFFERENCES BETWEEN THE TWO.

WOULD YOU CHARACTERIZE GR LIKE -- LIKE MUCH OF WHAT -- WHAT PEOPLE WOULD GENERICALLY THINK OF AS SORT OF A SMALLER NEIGHBORHOOD RETAIL? DOES THAT FAIL UNDER GR OR OWE.

THAT WOULD BE MORE LOCAL RETAIL. BUT IN MANY CASES THESE INNER CITY LOTS ARE SO SMALL, IN ORDER TO MAXIMIZE THE DEVELOPMENT POTENTIAL WE HAVE FOUND THROUGH DOING NEIGHBORHOOD PLANS THAT C.S. OR GR BUT LIMIT THE USES SO PEOPLE STILL HAVE THE MORE

LIBERAL SITE DEVELOPMENT STANDARDS FOR THESE SMALLER LOTS. BUT NOT AS MANY OF THE MORE EGREGIOUS USES THAT PEOPLE FIND UNCOMFORTABLE ADJACENT TO THEIR PROPERTY.

Mayor Wynn: RIGHT. THANK YOU. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER SLUSHER?

Slusher: OKAY. I DON'T KNOW HOW MANY FEET IT IS, BUT LOOKING AT MR. ALEXANDER'S SKETCH, THERE'S A HOUSE, ON THIS MAP IT'S THE GREEN, THAT'S -- IS THAT 2929 SALADO?

THAT IS CORRECT, COUNCILMEMBER SLUSHER.

Slusher: OKAY. THAT'S PROPOSED FOR WHAT ZONING? FOR THE REAR 70 FEET WOULD BE GR-MU-CO-NP WITH THE HEIGHT LIMITATIONS FOR THE FRONT 60 FEET IT WOULD BE L.O.-MU-CO-NP WITH A HEIGHT LIMIT OF 30 FEET, AND A PROHIBITION ON MEDICAL OFFICES.

THE REST OF THAT BLOCK INCLUDING ACROSS THE STREET IS SINGLE FAMILY; IS THAT CORRECT?

IMMEDIATELY TO THE NORTH OF THIS IS A PARKING LOT, BUT TO THE SOUTH AND TO THE WEST IS SINGLE FAMILY USE.

RIGHT. SO GOING UP TO 29th IS -- THAT'S A PARKING LOT BUSINESS, RIGHT?

IT'S THE -- THE EMPLOYEE PARKING FOR BREED AND COMPANY.

Slusher: OKAY. WHERE IS THE ICE HOUSE? IN THIS DRAWING?

IT WOULD BE ON THIS MAP OR --

Slusher: ON THE MAP, I'M SORRY.

IT WOULD BE ON THE REAR 50 TO 60 FEET.

THAT'S THE PART WHERE YOU ARE TALKING ABOUT GR?

THAT IS CORRECT. BUT I INCLUDED THIS THAT AREA ALL OF THE COMMERCIAL -- COMMERCIAL BUILDINGS, WHETHER THEY BE SHEDS OR THE STORAGE OR HIS ACTUAL RETAIL FACILITY.

WHY DOES IT NEED TO BE L.O. THEN ON THE OTHER PART OF THE TRACT SINCE THAT'S IN THE SINGLE FAMILY AREA?

THAT WAS THE COMPROMISE THAT WE CAME UP WITH. THERE'S NO REASON THAT IT MUST BE L.O. THOUGH WE DID, COUNCIL DID APPROVE L.O.-MU ALONG PRETTY MUCH THE ENTIRE LENGTH AND BREADTH OF THE SOUTH SIDE OF 29th STREET. THIS WOULD BE SOMEWHAT CONSISTENT WITH THAT. BUT -- THOUGH THAT WAS --

WELL, I DON'T SEE ANY GOING ANY FURTHER IN. LET'S SEE. I DON'T SEE ANY GOING THIS DEEP INTO THERE.

NO. THIS ONE DOES NOT GO AS DEEP.

Slusher: MAYBE THE BACK, WHAT IS IT, 70 FEET OF IT? WHY DOES IT NEED TO BE 70? WHY NOT 50?

BASED ON THE SURVEY PROVIDED TO US BY MR. ZAMORA, THE COMMERCIAL LOOKING ELEMENT OF THE LOT, STORAGE FACILITY AS WELL AS RETAIL FACILITIES AS WELL AS ALL OF THE OTHER ATTENDANT PARTS OF HIS RETAIL BUSINESS ON THE RETAIL BUSINESS ON THE SITE EXTEND IT TO 70 FEET INTO -- FROM THE REAR 70 FEET OF THE LOT.

Slusher: OKAY. THAT IS NOW ZONED C.S.?

THAT IS CORRECT.

OKAY.

LET'S SEE, COUNCILMEMBER DUNKERLY MADE THE MOTION THAT I SECONDED.

Slusher: WOULD YOU ENTERTAIN TAKING THAT 70 DOWN TO 50? AND MAKING THE OTHER SF-?

Dunkerly: COUNCILMEMBER, I'M NOT THAT FAMILIAR WITH

THAT TRACT. SO I'M NOT -- I WOULD HAVE TO DEFER TO THE STAFF FOR A RECOMMENDATION.

WELL, THE --

Slusher: HOW ABOUT THIS, I HATE TO DO THIS.

Dunkerly: I DON'T KNOW THE BASIS OF THE COMPROMISE.

Slusher: LET ME TRY SOMETHING ELSE, I HATE TO DO THIS BECAUSE WE ARE ABOUT TO GET RID OF ALL OF THESE ZONING CASES. BUT I DO THINK -- MR. ALEXANDER -- I HAVE DEALT WITH HIM A LOT ON THE ISSUES SURROUNDING THIS PROPERTY. I FEEL LIKE I WOULD LIKE TO TAKE A CLOSER LOOK AT IT MYSELF BEFORE I VOTE ON IT. IF WE COULD POSTPONE IT UNTIL THE NEXT MEETING, I PROMISE YOU I WON'T TRY TO POSTPONE IT AT THAT POINT.

Dunkerly: I WAS VERY WILLING TO SUPPORT THIS THREE WAY JOINT RECOMMENDATION. BUT IF YOU WANT TO POSTPONE IT A WEEK THAT WILL BE FINE.

Dunkerly: THANK YOU. OF COURSE THAT WOULD BE TWO WEEKS.

Mayor Wynn: COUNCILMEMBER DUNKERLY AND I WITHDRAW OUR MOTIONS. MOTION MADE BY COUNCILMEMBER SLUSHER TO POSTPONE TRACT 148 A IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN, THIS IS AGENDA ITEMS 31 AND 33 FOR TWO WEEKS TO OCTOBER 21st, 2004.

Goodman: SECOND.

Mayor Wynn: SECONDED BY THE MAYOR PRO TEM. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THAT CONCLUDES MY PRESENTATION, MAYOR AND

COUNCIL, THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, WELL DONE, MR. WALTERS.

Goodman: MAYOR, THERE IS SOME INFORMATION THAT I WOULD LIKE ON THE FIRST CASE THAT WE DID. CAN YOU GIVE ME AT SOME POINT IN TIME ALL OF THE NEIGHBORS THAT THEY GOT FROM THE PROPERTY OWNER?

YOU ARE SPECIFICALLY SPEAKING OF TRACT 40.

WHEN I RECEIVE THEM I WILL FORWARD THEM TO THE APPROPRIATE CHANNELS. YES.

Mayor Wynn: COUNCILMEMBER SLUSHER?

Slusher: MAYOR -- YOU'RE TALKING ABOUT 40, I'M SORRY, I THOUGHT THAT YOU WERE GOING BACK TO THE DUPLEX VERSUS SINGLE FAMILY. MULTI-FAMILY. EXCUSE ME.

Goodman: I HAD TROUBLE WITH THAT ONE, TOO.

Slusher: I'M STILL NOT TOTALLY COMFORTABLE WITH THAT ONE. I JUST CAN'T STAND FOR THIS CENTRAL AUSTIN NEIGHBORHOOD PLAN TO END. [LAUGHTER]

MY FEELING IS THE SAME. >>

MAYOR WYNN: THANK YOU, MR. WALTERS, THAT ENDS THIS SEGMENT OF OUR ZONING CASES. IN FACT I GUESS MS. GLASGO WE HAVE -- WE HAVE PASSED ON CONSENT AND/OR POSTPONED ALL OF THE Z-COPYING CASES.

THAT'S CORRECT, Z ZONING CASES.

THAT'S CORRECT, WE HAVE FINISHED ALL OF THE ZONING CASES FOR TODAY.

THANK YOU, WITH THAT, COUNCIL, WE HAVE NO ITEMS TO TAKE UP BEFORE OUR 6:00 TIME CERTAIN HEARINGS. WE HAVE OF COURSE OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS. WITHOUT OBJECTION WE WILL NOW RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL. 5:30

STATE TUNED FOR LIVE MUSIC AND THEN WE'LL BE BACK AFTER 6:00 FOR OUR PUBLIC HEARINGS. WE ARE NOW IN RECESS. [SESSION IN RECESS]. [MUSIC PLAYING].

I'M HONORED. THANK YOU. [APPLAUSE].

OUR FIRST PROCLAMATION THIS EVENING IS REGARDING CHAMPIONS FOR CHILDREN'S DAY. I'LL READ THE PROCLAMATION AND THEN WE'LL HEAR MORE ABOUT THIS. THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS, HELPING HAND HOME FOR CHILDREN PROVIDES RESIDENTIAL TREATMENT SERVICES AND THERAPEUTIC FOSTER CARE FOR EMOTIONALLY DISTURBED CHILDREN WHO HAVE BEEN SEVERELY ABUSED AND NECESSITY GLEKTED; AND WHEREAS, THE FIFTH ANNUAL CHAMPION FOR CHILDREN'S ANNUAL AWARDS LUNCHEON, THE TOP CAREGIVERS AND VOLUNTEERS IN OUR COMMUNITY WHO ARE CHANGING DISADVANTAGED CHILDREN'S LIVES THROUGH THEIR LOVE AND DEDICATION; AND WHEREAS, WE JOIN IN RECOGNIZING THESE CHAMPIONS FOR CHILDREN WHO WORK WITH THE HELPING HAND HOME TO PROVIDE CHILDREN A PLACE TO HEAL AND THEN RESTORE THEM TO A HEALTHY FAMILY SETTING. NOW THEREFORE, I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS TO HEREBY PROCLAIM OCTOBER 13th, 2004 AS CHAMPIONS FOR CHILDREN'S DAY IN AUSTIN AND BEFORE WE CONGRATULATE THESE FOLKS WHO ARE DOING SUCH WONDERFUL WORK FOR SOME OF THE NEEDIEST KIDS IN OUR COMMUNITY, LET'S HEAR A FEW WORDS ABOUT THE CHAMPIONS FOR CHILDREN'S DAY.

GOOD EVENING. I'M PRESIDENT OF THE HELPING HAND SOCIETY, AND GRANDE COMMUNICATIONS AND THE HELPING HAND HOME ARE SO THRILLED TO HAVE THE FIFTH ANNUAL CHAMPIONS FOR CHILDREN'S AWARDS LUNCHEON AND IT WILL BE ON OCTOBER 13th AT 11:30 IN THE MORNING AT THE CAPITOL MARRIOTT AND WE ARE LOOKING FORWARD TO HONORING 11 UNSUNG HEROES WHO PROVIDE SEVEN FOR CHILDREN IN NEED AND DIFFERENT NONPROFIT AGENCIES, NOMINATE THESE AND VOTE FOR THEM, AND WE GET TO HONOR THEM THAT DAY. THIS, LIKE I SAID, IS OUR FIFTH ANNUAL YEAR AND THIS YEAR DONNA AND PHILIP BERBER WILL GIVE THE KEY NOTE ADDRESS, AND THEY ARE

FOUNDERS OF THE GLIMMER OF HOPE FOUNDATION AND THEY ARE RANKED AMONG THE TOP 50 PHILANTHROPISTSS IN THE UNITED STATES. WE ARE ALSO EXCITED IN ADDING A LITTLE SPICE TO THE EVENT WITH RICK BARNES AND HE WILL HELP KICK OFF THE EVENT AND HELP RECOGNIZE OUR TRUE CHAMPIONS. RON FRANKLIN WILL BE OUR EMCEE. HE COMES MANY YEARS AND HE IS WITH ESPN AND A WONDERFUL AUSTINITE. AND THIS LUNCHEON PROVIDES AN OPPORTUNITY FOR CENTRAL TEXAS COMMUNITY TO COME TOGETHER AND HONOR THESE CAREGIVERS AND IT ALSO HAS DIFFERENT PROFESSIONALS AROUND THE CITY, AND IT WILL BE, LIKE I SAID, HELD AT THE MARRIOTT CAPITOL ON OCTOBER 13th, AND THERE'S STILL TICKETS AVAILABLE IF ANY OF YOU WOULD LIKE TO ATTEND. THANK YOU. [APPLAUSE].

LET ME CONGRATULATE ALL OF THESE FOLKS INVOLVED IN THE CHAMPIONS FOR CHILDREN'S GREAT, THIS GREAT WORK THAT THEY DO. THANK YOU VERY MUCH. [APPLAUSE].

OUR NEXT PROCLAMATION ACTUALLY ARE A SERIES OF CERTIFICATES OF APPRECIATION. THIS IS FROM OUR PARKS AND RECREATION DEPARTMENT, ARTS AND HUMANITIES AWARD WINNERS. WE'RE PROBABLY GOING TO DO SOME QUICK PHOTOS IN FRONT OF THE CITY SEAL AS WE PASS OUT THE AWARD WINNERS AND SO I'LL ASK FOR SOME HELP FROM OUR PARKS DEPARTMENT. I TRUST THEY'RE ALL HERE. GOOD EVENING, I'M RUSS WISEMAN. I'M IN THE PARKS -- WITH THE PARKS AND REC DEPARTMENT CULTURAL DIVISION AND IT'S BEEN MY PLEASURE TO INTRODUCE THE ARTS AND HUMANITIES AWARDS. THESE ARE FOR VERY SPECIAL PEOPLE WHO HAVE MADE SIGNIFICANT DONATIONS OR CONTRIBUTED VOLUNTEER TIME TOWARDS EXPANDING AND SUPPORTING THE ARTS IN AUSTIN. AS WE SAW WITH THAT MUSIC, THAT WAS JUST EXCELLENT. >

TO BEGIN WITH WE WOULD LIKE TO HONOR FROM THE O'HENRY MUSEUM, WE HONOR FAULKNER USA FOR THEIR VISION AND FINANCIAL SUPPORT IN PRESERVING THE SUSANNA DICKINSON HOUSE, AN AUSTIN TREASURE. THEY RECOGNIZED THE HISTORICAL VALUE OF THE SUSANNA DICKINSON HOUSE. FAULKNER USA CONTRIBUTED MORE

THAN 650,000 DOLLARS FOR ITS PRESERVATION, INCLUDING THE COST OF RELOCATION, INSTRUCTING A NEW FOUNDATION FOR THE HISTORIC HOUSE AT ITS PERMANENT LOCATION. ACCEPTING FOR FAULKNER USA IS TIM GARVET. [APPLAUSE].

THINGS HAVE CHANGED. ALSO NOMINATED BY THE O'HENRY MUSEUM IS THE OLD PECAN STREET ASSOCIATION, FOR RECOGNIZING THE IMPORTANCE OF THE SUSANNA DICKINSON HOUSE FOR THEIR GENEROUS CONTRIBUTION OF \$20,000 FORRESTRATION. ACCEPTING FOR THE OLD PECAN STREET ASSOCIATION IS MARK HILL. [APPLAUSE].

THE AWARD-WINNING DAUGHTERY ARTS CENTER SCHOOL HONORS TRAVIS HEIGHTS ELEMENTARY SCHOOL AND PTA. LISA ROBERTSON, PRINCIPAL, AND BETTY WEED, PTA PRESIDENT FOR THEIR GENEROUS DONATION OF CLASSROOM SPACE AND TIME AMOUNTING TO \$16,000 OF RENTAL SAVINGS FOR THE ARTS CENTER CREATIVITY CLUB AFTER-SCHOOL PROGRAM. THE TRAVIS HEIGHTS ELEMENTARY SCHOOL PTA DONATED OVER \$3,500 TOWARDS THE ARTS SCHOOL SCHOLARSHIP PROGRAM, ALLOWING 20 CHILDREN TO ATTEND THE ARTS SCHOOL CREATIVE CLUB. [APPLAUSE]. THAT WAS CREATIVITY CLUB, LESTERKZ MY COWORKERS REMIND ME. THE GEORGE WASHINGTON CARVER CULTURAL MUSEUM AND CULTURAL CENTER AND THEIR WONDERFUL NEW BUILDING HONOR MICHELLE STRONG. IS MICHELLE HERE? VERY GOOD. FOR QUIET AND INDIVIDUAL CONSISTENT COMMITMENT TO THE FINANCIAL GROWTH OF THE CARVER MUSEUM EDUCATIONAL PROGRAMS. [APPLAUSE].

THE GEORGE WASHINGTON CARVER MUSEUM AND CULTURAL CENTER ALSO HONORS -- FORGIVE ME, ARCHITECT AND PROJECT MANAGER, ARCHITECT AND PUBLIC MANAGER, AUSTIN PUBLIC WORKS DEPARTMENT, FOR BEING A SHINING STAR. AND I SAW THIS. THIS WAS AMAZING. FOR THE PUBLIC WORKS DEPARTMENT. CALPANA SERVED AS A PROJECT MANAGER FOR THE NEW CULTURAL CENTER AND MUSEUM EXPANSION. SHE DEDICATED EXEMPLARY LEADERSHIP. HER SERVICE TO THIS PROJECT HAS BEEN WITHOUT EQUAL. GEORGE WASHINGTON CARVER MUSEUM AND CULTURAL CENTER ALSO HONORS THE

GEORGE WASHINGTON CARVER AMBASSADORS, INCORPORATED, ARTHUR SAULS, PRESIDENT FOR THEIR INSPIRED VISION OF THE FUTURE OF THE CARVER MUSEUM AND FOR THEIR STRONG SUPPORT OF THE PROUD EYE DEALS OF RESPONSIBILITY, PARTICIPATION, AND FINANCIAL DISCIPLINE NEEDED FOR HEALTHY AND GROWING CULTURAL CENTER. [APPLAUSE].

AND LAST BUT NOT LEAST, WE HONOR SUZIE PHILLY FOR DEAD INDICATING HER TIME AND ENERGY AT THE DAUGHTERY ARTS CENTER. HER EXPERTISE HAS PROVEN INVALUABLE AS SHE WORKS TO ENSURE THE SUCCESS OF THE GALLERY'S ART EXHIBITIONS. A GRADUATE STUDENT OF THE UNIVERSITY OF TEXAS ART HISTORY DEPARTMENT AND IS A TRUE PARTNER IN THE ARTS. [APPLAUSE]. IF I COULD ASK THE NOMINEES AND ALL OF THE CULTURAL AFFAIRS STAFF TO JOIN US IN FRONT FOR A GROUP PICTURE. THANK YOU.

AGAIN, CONGRATULATIONS TO ALL OUR WINNERS. WE APPRECIATE IF YOU COULD QUIET DOWN, PLEASE. LOTS OF CONGRATULATIONS GOING ON. TOTALLY APPROPRIATE.

THANK YOU ALL. THIS NEXT PROCLAMATION IS REGARDING FINANCIAL PLANNING WEEK AND WE'LL HEAR FROM JOY ROBERTS AFTER I READ THE PROCLAMATION. BE IT KNOWN WHEREAS, THE FINANCIAL PLANNING PROCESS ALLOWS INDIVIDUALS TO ACHIEVE THEIR DREAMS BY EMPOWERING THEM TO IDENTIFY AND MANAGE REALISTIC FINANCIAL GOALS AND NEGOTIATE FINANCIAL BARRIERS AS THEY ARISE; AND WHEREAS, THE FINANCIAL PLANNING ASSOCIATION REPRESENTS 28,000 MEMBERS, THEY ARE DEDICATED TO SUPPORTING THE FINANCIAL PLANNING PROCESS AND PROVIDING INDIVIDUALS WITH SOUND FINANCIAL ADVICE; AND WHEREAS, THE FINANCIAL PLANNING ASSOCIATION PROVIDES ONGOING TRAINING FOR ITS MEMBERS AND ENCOURAGES THOSE SEEKING FINANCIAL PLANNING ADVICE TO USE THE SERVICES OF A CERTIFIED FINANCIAL PLANNER; NOW THEREFORE, I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, TO HEREBY PROCLAIM OCTOBER 4th THROUGH 10th, 2004 AS NATIONAL FINANCIAL PLANNING WEEK IN AUSTIN AND CALL ON MS. JOY ROBERTS TO PLEASE TELL US ABOUT THE GREAT SERVICES

THAT HER AND HER MEMBERS PROVIDE AND PLEASE JOIN ME IN CONGRATULATING JOY FOR THIS HONOR. [APPLAUSE].

THANK YOU, MAYOR WYNN. AND WE APPRECIATE THE PROCLAMATION FOR NATIONAL FINANCIAL PLANNING WEEK. AS MAYOR WYNN MENTIONED, I'M JOY ROBERTS. I'M THE PRESIDENT-ELECT FOR THE AUSTIN FINANCIAL PLANNING ASSOCIATION, KNOWN AS SPA. WE ARE A MEMBERSHIP ORGANIZATION FOR THE FINANCIAL PLANNING COMMUNITY. ITS MEMBERS ARE DEDICATED TO THE SUPPORT OF THE FINANCIAL PLANNING PROCESS OF ESTABLISHING PERSONAL AND FINANCIAL GOALS AND CREATING A WAY TO REACH THEM THROUGH INVESTMENTS, ESTATE PLANNING, INSURANCE, TAX AND RETIREMENT PLANNING. MANY OF OUR MEMBERS ARE CERTIFIED FINANCIAL PLANNERS, AND WE HAVE MANY OTHER MEMBERS SUCH AS ACCOUNTANTS, ATTORNEYS, BANKERS, INSURANCE AGENTS, MONEY MANAGERS, STOCK BROKERS, INVESTMENT CONSULTANTS AND -- STOCKBROKERS, AND CHARITABLE GIVING SPECIALISTS. SO WE WORK WITH INDIVIDUALS TO HELP THEM ACHIEVE THEIR FINANCIAL GOALS AND DREAMS. ALL OF OUR MEMBERS CHAMPION THE ENTIRE FINANCIAL PLANNING PROCESS. AND IF YOU WOULD LIKE MORE INFORMATION, WE HAVE A WEBSITE AS WELL, WWW.AUSTIN SPA.ORG. THANK YOU VERY MUCH.

THANK YOU. [APPLAUSE].

I'M JOINED BY ALVIN PRUITT FOR OUR NEXT PROCLAMATION WHICH IS REGARDING THE LIFE ON AFTER-SCHOOL WEEK THAT WE ACTUALLY HEARD ABOUT EARLIER THIS AFTERNOON. THE PROCLAMATION READS, BE IT KNOWN WHEREAS, QUALITY AFTER-SCHOOL PROGRAMS PROVIDE A SAFE, ENRICHING, AND NURTURING ENVIRONMENT THAT HELPS BOOST CHILDREN'S ACADEMIC ACHIEVEMENT AND SOCIAL DEVELOPMENT, AND THAT ASSURES FAMILIES THEIR CHILDREN ARE CARED FOR AFTER SCHOOL, THE SCHOOL DAY ENDS; WHEREAS, LIGHTS ON AFTER SCHOOL IS A NATIONAL CELEBRATION OF EFFECTIVE AFTER-SCHOOL PROGRAMS AND THE CRITICAL LINK THEY PROVIDE IN HELPING OUR CHILDREN BECOME SUCCESSFUL ADULTS; AND WHEREAS, THE TRAVIS COUNTY AFTER-SCHOOL

NETWORK WORKS TO EXPAND, PROVIDE TECHNICAL ASSISTANCE, AND SET BEST PRACTICES FOR AFTER-SCHOOL PROGRAMS SO THAT CHILDREN DO HAVE A PLACE TO GO WHERE THEIR LIGHTS ARE ON, FOR THEM AND WHERE THEY CAN BE PRODUCTIVE AND PROTECTED AFTER SCHOOL. NOW THEREFORE, I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM OCTOBER 11th THROUGH 15th AS LIGHTS ON AFTER-SCHOOL WEEK IN AUSTIN AND CALL ON MR. ALVIN PRUITT TO TELL US ABOUT THIS GREAT PROGRAM, AGAIN FOR THE CHILDREN OF OUR COMMUNITY. ALVIN? [APPLAUSE].

I WILL BE BRIEF. I WOULD REALLY -- TRAVIS COUNTY AFTER-SCHOOL NETWORK IS A GROUP OF AFTER-SCHOOL SERVICE PROVIDERS THAT INCLUDE BOTH THE LARGER END OF AISD, BOYS AND GIRLS CLUBS, YWCA, AND A NUMBER OF EARS OTHERS, EASTSIDE STORY, THE PARKS DEPARTMENT. AND WHAT WE'VE DONE IS COME TOGETHER TO BE AN ADVOCATE FOR SETTING UP STANDARDS THAT WILL ASSURE THAT THERE IS AVAILABLE AFTER-SCHOOL CARE ACROSS THE SPECTRUM IN TRAVIS COUNTY. WE WERE REALLY HONORED BY HAVING THE MAYOR AS A CO- CHAIR OF OUR KICKOFF EVENT, WHICH IS THE BREAKFAST OF CHAMPIONS. EACH OF OUR CHAMPIONS GOT A WHEATIES BOX WITH THEIR PICTURE ON IT, AND THE COUNTY JUDGE WAS THE OTHER CO-CHAIR FOR THIS EVENT. WE WERE GRACED WITH THE PRESENCE OF COUNCILMEMBER DUNKERLY AND A NUMBER OF THEM HOSPITALED TO BE THERE COULDN'T BE. WE WANT TO SAY THANK YOU TO YOU, MAYOR, FOR YOUR PARTICIPATION. THE EVENTS ARE GOING TO BE OCCURRING ON THE 12th THROUGH THE 14th, AND THERE ARE ABOUT 15 CENTERS. AND I'VE GOT SOME INFORMATION I'M GOING TO LEAVE THAT OUTLINE WHERE ALL OF THOSE ARE. IF YOU'D LIKE TO KNOW MORE, YOU CAN FIND OUR WEBSITE AT TCAFTERSCHOOL.ORG, AND WE LOOK FORWARD TO WORKING WITH THE CITY AND THE COUNTY AND EVERYBODY ELSE INVOLVED IN MAKING SURE THAT ALL KIDS HAVE AFTER-SCHOOL. THANK YOU VERY MUCH FOR THIS RESOLUTION.

THANK YOU. [APPLAUSE]. FOR OUR NEXT PROCLAMATION, I'LL WELCOME COUNCILMEMBER SLUSHER. SLUSH SLUSH

THANK YOU, MAYOR, THANK YOU

TO MAINTAIN A SUSTAINABLE CITY AS WE HEAD INTO THE FUTURE AND MORE PEOPLE COME HERE, ARE BORN HERE, I THINK WE'RE NOT GOING TO BE ABLE TO DEPEND ENTIRELY ON THE AUTOMOBILE IF WE'RE GOING TO REMAIN SUSTAINABLE AND BE A HEALTHY CITY. SO AS PART OF THAT, THIS IS COMMUTE SOLUTIONS MONTH IN AUSTIN -- COMMUTE SOLUTIONS MONTH IN AUSTIN, AND I JUST WANT TO READ AND WE'RE GOING TO DECLARE TODAY COMMUNITIES IN MOTION DAY, AND WE'RE GOING TO TALK ABOUT SOME OF THE THINGS THAT ARE AVAILABLE IN THE COMMUTE SOLUTIONS, NOT JUST THE BUS. METRO HAS OF COURSE THE SPECIAL TRANSIT SERVICE FOR OUR HANDICAPPED CITIZENS, HAVE A VERY SUCCESSFUL VAN POOL PROGRAM WHICH ALLOWS PEOPLE TO TEAM UP TO GET TO WORK. SO I'M JUST GOING TO READ THIS AND TURN IT OVER AND HE WILL GO INTO A LITTLE BIT MORE DETAIL FOR A COUPLE OF MINUTES. WHEREAS, KEEPING AUSTIN A LIVABLE CITY FOR ALL CITIZENS INVOLVES HAVING A PUBLIC TRANSPORTATION SYSTEM TO SERVE WORKERS, SCHOOLCHILDREN, SENIOR CITIZENS, PEOPLE WITH DISABILITIES, AND THOSE UNABLE TO AFFORD AUTOMOBILES SO THEY CAN GO TO WORK AND ACCESSORY FUNDAMENTAL SERVICES; WHEREAS, AN EFFECTIVE PUBLIC TRANSPORTATION SYSTEM CAN HELP PRESERVE THE THINGS WE TREASURE ABOUT OUR CITY, INCLUDING OUR QUALITY OF LIFE, CLEAN ENVIRONMENT, BEAUTIFUL PUBLIC SPACES, AND VIBRANT DOWNTOWN; AND WHEREAS, METRO, ALONG WITH THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION CALLS UPON ALL CITIZENS TO PROMOTE PUBLIC TRANSPORTATION'S BENEFIT TO OUR CITIZENS. NOW THEREFORE WILL WYNN DECLARES THIS COMMUNITIES IN MOTION DAY. I WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY TO CONGRATULATE METRO WHICH I SERVE ON THE BOARD THERE. BUT CONGRATULATE THEM ON THE JOB THEY DID AT AUSTIN CITY LIMITS. YOU KNOW, WE HEAR THERE ARE A LOT OF BUSES OR THOUSANDS OF PEOPLE RIDE THE BUS EVERY DAY, BUT WE STILL HEAR SOME CHARGES ABOUT BUSES BEING EMPTY, BUT I TELL YOU WHAT, OVER THERE AT AUSTIN CITY LIMITS, THERE WERE SOME FULL BUSES OVER THERE. THANK YOU. [APPLAUSE].

THANK YOU, COUNCILMEMBER SLUSHER. I'M VICE PRESIDENT OF COMMUNICATIONS OF CAPITAL METRO. I'M HERE REALLY ON BEHALF OF OUR PARTNERS WHICH INCLUDE THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION, YOU KNOW THEM AS CAMPO, THE CLEAN AIR FORCE OF CENTRAL TEXAS, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, CLEAN AIR PARTNERS, THE TEXAS DEPARTMENT OF TRANSPORTATION, THE DOWNTOWN AUSTIN ALLIANCE, THE CITY OF AUSTIN, THE TEXAS DEPARTMENT OF INSURANCE, CAPITAL AREA RURAL TRANSPORTATION SYSTEM CALLED CART, AND THE AUSTIN POLICE DEPARTMENT. WHAT WE'RE HERE TO TALK ABOUT IS, THIS IS OFFICIALLY A COMMUTE SOLUTIONS MONTH WHICH IS A NATIONAL EFFORT ACROSS THE UNITED STATES TO ENCOURAGE CITIZENS TO TAKE ANOTHER WAY TO WORK. USE SOMETHING ELSE BESIDES YOUR CAR TO GET TO WHERE YOU WANT TO GO. IT COULD BE WALKING, IT COULD BE RIDING A BIKE, IT COULD BE CARPOOLING WITH YOUR WIFE OR FRIEND. CONTACTING CAPITAL METRO FOR OUR VAN POOL OR CARPOOL PROGRAMS AND OF COURSE, SINCE CAPITAL METRO'S INVOLVED, WE LIKE IT IF YOU TAKE THE BUS. IN FACT, TODAY IS CUSTOMER APPRECIATION DAY HERE IN AUSTIN. YOU MAY HAVE SEEN RIDE FREE ON OUR BUSES. IT'S NOT BECAUSE OF AN OZONE ACTION DAY THANK FLISMT IT'S BECAUSE WE ARE THANKING OUR CUSTOMERS FOR TAKING A RIDE ON CAP METRO. IF YOU'RE STILL NOT INCENTIVIZED ENOUGH, WE ENCOURAGE YOU TO LOOK IN TODAY'S AUSTIN AMERICAN-STATESMAN. THERE'S A FULL PAGE INSERT THAT DISCUSSES YOUR OPTIONS TO DO SOMETHING ELSE BESIDES GET IN YOUR VEHICLE TO MAKE AN IMPACT IN OUR COMMUNITY. WE ENCOURAGE YOU TO LOOK IN THE STATESMAN FOR THAT TODAY. AND IN THIS, IF YOU'RE STILL WONDERING WHETHER OR NOT THIS IS FOR YOU, THERE'S CASH INVOLVED. [LAUGHTER].

BETWEEN NOW AND OCTOBER 23rd, YOU ARE ELIGIBLE, IF YOU LIVE IN TRAVIS, HAYES, OR WILLIAMSON COUNTIES, TO PARTICIPATE IN A CONTEST; THAT IS, YOU CAN ENTER IF YOU DO SOMETHING OTHER THAN GO TO WORK OR GET TO LUNCH OTHER THAN IN YOUR CAR, YOU CAN ENTER YOUR NAME IN A PRIZE DRAWING. THE MORE DAYS YOU USE AT COMMUTE SOLUTION, THE MORE TIMES YOU CAN ENTER

YOUR NAME AND INCREASE YOUR CHANCES OF WINNING FOR A PRIZE, A TOTAL OF \$2,000 IN GIFT CERTIFICATES. IT CAN GO TO WWW.COMMUTESOLUTIONS.COM. TO CLICK ON THAT INFORMATION. AND BEING THIS PLACE OF AUSTIN THAT WE ALL LIVE IN, WE ARE ALSO HOLDING ANOTHER CONTEST AT CAP METRO CALLED THE WEIRDEST COMMUTE. YOU CAN COMMUTE TO REPUBLIC SQUARE ON FRIDAY, OCTOBER 29th, FOR A CHANCE TO WIN A HOT AIR BALLOON RIDE FOR TWO, CERTAINLY A WEIRD COMMUTE. THE WEIRDEST COMMUTE WINNERS WILL BE ANNOUNCED AT THE SQUARE ON THAT DAY. SO ON BEHALF OF ALL OUR PARTNERS, WE THANK YOU AND ENCOURAGE YOU TO USE THE COMMUTE SOLUTION. THANKS. [APPLAUSE].

MAYOR, I GUESS WE'LL BE IN RECESS FOR A FEW MOMENTS, COME BACK, HAVE HEARINGS SCHEDULED FOR 6:00. THANK YOU.

THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THE MEETING OF THE AUSTIN CITY COUNCIL. WE HAVE A NUMBER OF 6:00 PUBLIC HEARINGS AND POSSIBLE ACTIONS. WE'RE GOING TO HOLD OFF ON THE NUMEROUS ANNEXATION PUBLIC HEARINGS FOR A FEW MINUTES WHILE MR. LOU KINS ORGANIZES THOSE. SO ALTHOUGH I BELIEVE THERE MIGHT BE --

IF YOU DON'T MIND.

COUNCILMEMBER THOMAS.

THOMAS: I'M GOING TO MAKE A MOTION THAT WE RECONSIDER ITEMS 30 AND 32, IF WE CAN DELAY THAT UNTIL THE END OF OCTOBER THE 28th, AND IT WOULD BE ON TRACT 49.

THE MOTION ON THE TABLE, COUNCILMEMBER THOMAS, TO RECONSIDER I BELIEVE ONLY THE PORTION OF TRACT 49, 2307 LONGVIEW STREET. THIS WILL BE AGENDA ITEMS 30 AND 32. MOTION TO RECONSIDER THAT ACTION BY COUNCILMEMBER THOMAS.

I SECOND THAT, MAYOR.

SECOND BY COUNCILMEMBER SLUSHER.

SLUSHER: THERE MAY BE SOME FURTHER TALKS. MAY BE THE NEIGHBORHOOD COULD WORK SOMETHING OUT WITH THE OWNER.

SO I THINK THAT'S OKAY PARLIAMENTARY-WISE FOR THIS AS A MOTION TO RECONSIDER AND TO POSTPONE ACTION ON A PORTION OF TRACT 49, THAT ADDRESS OF 2307 LONGVIEW STREET IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN, POSTPONE IT TO OCTOBER 28th.

28th, SIR.

SECONDED BY COUNCILMEMBER SLUSHER. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER McCracken temporarily off the die. SO COUNCIL, WHILE MR. LEUKINS ORGANIZATION OUR ANNEXATION PUBLIC HEARINGS, LET'S GO AHEAD AND TAKE UP ITEM NUMBER 46 WHERE WE HAVE THE MOST CITIZENS I BELIEVE HERE TO -- THAT ARE INTERESTED IN SO WE CAN GET MORE FOLKS HOME SOONER RATHER THAN LATER. WE HAVE APPROXIMATELY A DOZEN PEOPLE WHO HAVE SIGNED UP WITH INTEREST ON AGENDA ITEM 46. THIS IS TO CONDUCT A PUBLIC HEARING AND CONSIDER ACTION ON AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A CONDITIONAL USE PERMIT FOR ON-SITE PARKING FOR THE AUSTIN COMMUNITY COLLEGE EASTVIEW CAMPUS LOCATED AT 3401 WEBBERVILLE ROAD. AGAIN, THIS WAS APPROVED BY THE PLANNING COMMISSION. PERHAPS WE'LL START WITH A BRIEF PRESENTATION.

GOOD EVENING, MAYOR, COUNCILMEMBERS. THIS IS AN APPEAL OF A CONDITIONAL USE PERMIT FOR A SITE PLAN FOR THE AUSTIN COMMUNITY COLLEGE LOCATED AT 3401 WEBBERVILLE ROAD AT GOVALLEY AVENUE T. PROPOSED DEVELOPMENT CONSISTS OF THE ADDITION OF 370 PARKING SPACES IN TWO PHASES WITH A POSSIBLE THIRD PHASE OF ANOTHER 149 SPACES WHICH IS NOT INCLUDED IN THIS APPLICATION BEFORE YOU. THE DEVELOPMENT ALSO INCLUDES DRAINAGE CHANNEL IMPROVEMENTS AND TWO PEDESTRIAN BRIDGES. IT IS INTENDED TO SERVE THE NEW

HEALTH CAREERS BUILDING WHICH IS SCHEDULED TO OPEN IN THE SPRING OF 2005, AND IT WILL ALSO ACCOMMODATE FUTURE ENROLLMENT INCREASES. >

THIS IS A CONDITIONAL USE PERMIT BECAUSE THE PROPERTY IS ZONED P PUBLIC AND IT'S OVER ONE ACRE AND THEREFORE REQUIRES A CONDITIONAL USE PERMIT SITE PLAN. THE APPLICATION WAS ORIGINALLY FILED ON MARCH 1ST OF THIS YEAR. DURING THE SATISFY REVIEW REVIEW, THREE ADMINISTRATIVE WAIVERS WERE GRANTED, ONE TO ALLOW PEDESTRIAN BRIDGES TO CROSS THE CRITICAL WATER QUALITY ZONE, ANOTHER TO PROVIDE CHANNEL IMPROVEMENTS RATHER THAN ON-SITE DETENTION, AND A THIRD TO ALLOW A GRASS LINE CHANNEL WITH LESS THAN A 2% SLOPE. THERE WERE NO ENVIRONMENTAL VARIANCES THAT REQUIRED REVIEW BY THE ENVIRONMENTAL BOARD. THEY WERE ALL ADMINISTRATIVE WAIVERS. THE PLANNING COMMISSION CONSIDERED THE ITEM ON JULY 27th, AND IT WAS POSTPONED DUE TO OBJECTIONS FROM REPRESENTATIVES THERE. THE APPLICANTS SUBSEQUENTLY MET WITH THEM AND REVISED THE PLANS IN AN EFFORT TO ADDRESS THE CONCERNS THAT WERE RAISED. THE PLANNING COMMISSION RECONSIDERED THE APPLICATION ON AUGUST THE 10th AND APPROVED IT WITH CONDITIONS BY A VOTE OF 6-2. THE CONDITIONS INCORPORATED THE CHANGES FOR THE APPLICANT -- THAT THE APPLICANT BROUGHT FORWARD AND THAT INCLUDED SAVING AN ADDITIONAL 19 TREES, INSTALLING APPROXIMATELY 10,000 SQUARE FEET OF PERVIOUS PAVERS WITHIN THE PARKING LOT, PROVIDING CURB CUTS TO ALLOW WATER TO REACH LARGE TREE WELLS AND TO ELIMINATE 18 PARKING SPACES. AND THOSE CHANGES ARE REFLECTED ON THE PLAN THAT IS BEFORE YOU THIS EVENING. THE APPEAL WAS FILED BY PODERE ON AUGUST 24th, AND SUBSEQUENT TO THE APPEAL THERE WAS A PRESENTATION MADE TO THE ENVIRONMENTAL BOARD, ALTHOUGH AGAIN THIS WAS NOT REQUIRED, IT WAS REQUESTED BY MEMBERS OF THE BOARD AND ON SEPTEMBER 15th, THE PRESENTATION WAS MADE. THE ENVIRONMENTAL BOARD, BY VOTE OF 8-0, REAFFIRMED THE APPROVAL OF THE SITE PLAN BY THE PLANNING COMMISSION AND ADDED ONE ADDITIONAL CONDITION AND

THAT IT WAS A NATIVE GRASS SEEDING WOULD BE USED IN ALL NEWLY CONSTRUCTED TREE WELLS. THE STATED REASONS FOR THE APPEAL ARE, FIRST, THAT THE CASE WAS NOT SUBMITTED TO THE ENVIRONMENTAL BOARD, AND AS I MENTIONED, THIS WAS NOT REQUIRED, BUT IT DID SUBSEQUENTLY GO TO THE ENVIRONMENTAL BOARD AFTER THE APPEAL WAS FILED. SECONDLY, THE APPELLANTS ALLEGED THAT A MEETING WITH THE GOVALLEY JOHNSON REVIEW TEAM WAS NOT SCHEDULED PRIOR TO THE ACTUAL PUBLIC HEARING, AND THAT THE APPELLANT WAS NOT CONTACTED BY ACC REPRESENTATIVES REGARDING THE SITE PROPOSAL. NOTIFICATION OF THE NEIGHBORHOOD ASSOCIATION AND THE APPELLANT WAS PROVIDED BY THE CITY IN ACCORDANCE WITH THE STANDARD PROCEDURES. A MEETING IS NOT REQUIRED BY THE CITY CODE, BUT IT WAS HELD BEFORE THE PLANNING COMMISSION TOOK ACTION ON THE SITE PLAN. AND FINALLY, THE APPEAL STATES THAT THE PROJECT WOULD NOT ALLEVIATE ON-STREET PARKING. STAFF WOULD NOTE THAT THE PARKING PROVIDED EXCEEDS THE MINIMUM REQUIRED BY THE CITY CODE AND THAT THERE IS THE POTENTIAL FOR A THIRD PHASE OF THE PROJECT TO ADD MORE SPACES IF NEEDED IN THE FUTURE. THE STAFF RECOMMENDATION IS TO DENY THE APPEAL BECAUSE THE SITE PLAN MEETS ALL CRITERIA FOR A CONDITIONAL USE PERMIT. I'LL BE GLAD TO ANSWER ANY QUESTIONS.

THANK YOU. QUESTIONS OF STAFF? COUNCIL? MAYOR PROTEM?

GOODMAN: ARE THERE NO PARKING SIGNS NOW ON THE STREET?

I DON'T BELIEVE THERE ARE. I THINK FOR THE MOST PART THE ON-STREET PARKING IS UNRESTRICTED.

GOODMAN: THANKS.

AND FOR OUR REMINDER, COUNCIL, OUR PROCESS HERE ON THESE APPEALS IS THAT WE'LL CONSIDER THAT TO BE OUR REPORT FROM CITY STAFF. WE'LL NOW HAVE A PRESENTATION FROM THE APPELLANT, MS. ALMANZA FOR FIVE MINUTES. WE'LL THEN HEAR COMMENTS FROM FOLKS

SIGNING UP WISHING TO SPEAK SUPPORTING HER APPEAL AND THEN WE'LL HEAR FROM FOLKS OPPOSING THE APPEAL AND THEN MS. ALMANZA WILL HAVE A THREE-MINUTE REBULTSES. SO WELCOME, MS. ALMANZA, AND IF YOU CAN GIVE HER FIVE MINUTES. THANK YOU.

I'VE GOT A POWER POINT.

IF SOMEBODY COULD ASSIST MS. ALMANZA. AND IF I CAN WHILE MS. ALMANZA IS GETTING SET UP, I NOTICED THAT THE VAST MAJORITY OF FOLKS WHO SIGNED THE CARDS HAVE CHECKED IN FAVOR. MY INSTINCT IS THESE FOLKS ARE ACTUALLY IN FAVOR OF ACC, IN FAVOR OF THE PROJECT. AND SO IF ANYBODY COULD JUST -- A QUICK SHOW OF HANDS. IS THERE ANYBODY HERE WHO WOULD LIKE TO SPEAK FOLLOWING MS. ALMANZA IN SUPPORT OF HER APPEAL? AND YOUR NAME, MA'AM? (INAUDIBLE).

OKAY. SO MS. YOUNG, HAVE YOU SIGNED A CARD, MS. YOUNG? (INAUDIBLE).

OH, HERE YOU ARE. AND SOMEBODY ELSE -- WHO WANTS TO SPEAK IN SUPPORT OF MS. ALMANZA'S APPEAL? OKAY. WE'LL GET TO YOU-ALL WHO WANT TO SUPPORT ACC AFTER WE HEAR FROM THOSE FOLKS SUPPORTING THE APPEAL. THANK YOU. WELCOME, MS. ALMANZA, YOU HAVE FIVE MINUTES AND REMEMBER YOU'LL HAVE A REBUTTAL.

GOOD MORNING, MAYOR, AND CITY COUNCILMEMBERS. AND MY COLLEAGUE, DR. SYLVIA HERRERA IS OUT AT ANOTHER MEETING. WE WEREN'T SURE WHEN THE APPEAL WAS GOING TO TAKE PLACE. BUT YOU HEARD WHAT HE SAID, THE REASONS THAT WE DID APPEAL WAS BECAUSE THIS PARTICULAR CASE DID NOT GO THROUGH THE GO GOVALLEY PLANNING REVIEW TEAM. WE'VE HAD SEVERAL APPLICATIONS COME BEFORE US AND SOME THAT WE WORKED IN PASSING THROUGH SUCH AS THE SAN LUIS BUS TOURS. THE OTHER THING IS WE DIDN'T GET THE NOTIFICATION UNTIL THIS CASE WAS GOING BEFORE THE PLANNING COMMISSION AND BECAUSE OF THE WAIVERS, IT DID NOT GO TO THE ENVIRONMENTAL BOARD, AND WE WANT TO DO MAKE SURE THAT IF THERE IS A NEIGHBORHOOD PLAN, TEAM IN PROCESS, THAT THAT PROCESS IS ADHERED

TO AND FOLLOWED. AND THAT IS ONE OF THE MOST IMPORTANT REASONS FOR APPEAL BECAUSE THIS CASE DID NOT GO THROUGH THAT PROCESS. NOW I WANT TO SHOW YOU -- WRONG ONE. THAT'S THE WRONG ONE. SORRY, COUNCIL.

OKAY. THERE WE GO. RIGHT HERE, THIS IS THE AREA THAT'S GOING TO BECOME THE ACC PARKING LOT. AND YOU CAN SEE SOME OF THE PLANTS IN THE AREA THERE. THAT USED TO BE THE WETLANDS. AND THERE'S ANOTHER VIEW OF ALL OF THE DIFFERENT TREES AND THE GREEN SPACE, THE BUFFER BETWEEN THIS COMMUNITY. THIS IS THE HOUSES ON LINDEN STREET. THE PARKING LOT IS GOING TO BE DIRECTLY BEHIND THE RESIDENTS ON LINDEN STREET. AND RIGHT HERE IS THE HOUSE ON THE CORNER OF FIESTA STREET. YOU CAN SEE ALL THOSE TREES BACK THERE. THAT'S WHERE THE PARKING LOT IS GOING TO BE. NOW, THIS IS A SHOT FROM LINDEN AND FIESTA STREET HEADING ON, YOU CAN ALL SEE HOW BIG AND BEAUTIFUL THOSE TREES ARE IN THAT AREA. AND THERE IS WHERE YOU CAN SEE IT SET UP. THAT'S THE FENCE LINE THERE, THE BUFFER BETWEEN WHERE THE PARKING LOT AND THE PEOPLE'S BACKYARDS ARE AT. AND THEN HERE YOU CAN SEE THE VIEW FOR THE HEADING TOWARDS THE WEST THERE. THE CAM BUS AND THEN THE GREEN AREA, OF COURSE BRIDGES. THEN HERE YOU CAN SEE FIESTA STREET, THE GREEN HOUSE OVER THERE. THE PARKING LOT'S GOING TO FACE THE RESIDENTS THERE ON FIESTA STREET. AND THEN AGAIN, THIS IS A TRIBUTARY THAT WE WERE CONCERNED WHICH THEY NOW NAMED SOMETHING THOMAS DITCH, WHICH IS AN INSULT BECAUSE IT IS A TRIBUTARY. WHEN YOU BUILD THE ROADS AND YOU STOP THE NATURAL WATERS COMING FROM OAK SPRINGS INTO THE AREA, OF COURSE THEN YOU CAN CALL IT A DITCH OR WHATEVER YOU WANT TO, BUT FROM A LONG TIME OAK SPRINGS IS FURTHER UP AND FOR A LONG TIME, IT HAS A LOT OF NATURAL SPRINGS THAT RUN INTO THAT AREA. NOW RIGHT HERE ACC REALLY NEEDS ONLY 65 PARKING SPACES TO OPEN THIS FACILITY. THAT'S ALL THAT'S REQUIRED TO OPEN UP THE HEALTH SCIENCE CENTER, AND THEY WERE TELLING US THAT THEY REALLY NEEDED ALL THESE SPACES IN ORDER TO HAVE THE HEALTH SCIENCE CENTER OPEN, BUT

IN REALITY THEY ONLY NEED 65 SPACES TO OPEN. THEY ALSO HAVE A CONTRACT THERE WITH THE MENILLION FOR ACC PARKING. YOU CAN SEE THAT IT'S EMPTY BECAUSE THEY DON'T ENFORCE THAT. THEY ALLOW THE STUDENTS TO PARK ALONG THE WEBBERVILLE GO GOVALLE, ANDERSON, WHATEVER, AND SO THERE'S NOTHING TO REALLY FORCE THE STUDENTS TO PARK AT THIS EMPTY PARKING LOT BUT YET CAPITAL METRO HAS AN AGREEMENT TO SHUTTLE THE STUDENTS TO ACC. SO WE FEEL LIKE HERE IT IS IN EAST AUSTIN, IT'S EASIER TO JUST MOW DOWN ALL OUR GREEN SPARKS AND WE TALK ABOUT THE GREEN ISLAND EFFECT BUT I GUESS THAT DOESN'T HOLD TRUE FOR EAST AUSTIN. WE KNOW THOO PARKING IS NEEDED. WE DON'T DEBATE THAT. BUT IF YOU GO THROUGH EVERY ONE OF ACC'S CAMPUSES, YOU'LL FIND THAT PARKING IS NEEDED IN EVERY ACC PARKING LOT. SO I THINK THAT ACC NEEDS TO GET TOGETHER AND FORM A LONG-TIME STRATEGY TEAM AS HOW THEY ARE GOING TO ADDRESS THE WHOLE ISSUE OF PARKING. THE OTHER THING WE SAY, WHY DON'T YOU BUILD UP ON THE PARKING LOT. YOU'VE GOT A PARKING LOT; BUILD UP. THAT'S WHAT THE UNIVERSITY OF TEXAS AND SOME OF THE OTHER PEOPLE. AND THEY SAY, WELL, IT'S TOO COSTLY BUT YET, THEY ARE WILLING TO PAY WHAT THEY ARE SAYING, \$1.5 MILLION TO CUT DOWN ALL THE GREEN SPACE TO NOW MAKE OVER 300 SPACES WHEN THEY ONLY NEED 65. THERE'S A LOT OF SPACES THAT ARE THERE, THE OLD MAYNER SHUTTLE PLACE COULD HOLD AN ADDITIONAL 200, 300 STUDENTS WHERE THEY COULD SHUTTLE THEIR STUDENTS BACK AND FORTH. THERE'S A LOT OF ALTERNATIVES THAT COULD TAKE PLACE INSTEAD OF MOWING DOWN, YOU KNOW, BEAUTIFUL AREA. I HAVE TO SAY THAT DURING THIS PROCESS WHEN WE CHALLENGED THEM ON THIS THAT AT LEAST THEY CAME BACK AND THEY SAVED 19 ADDITIONAL TREES, AND THEY DECIDED TO DO A WHOLE DIFFERENT WAY OF HOW THEY ARE GOING TO PAVE THAT PARTICULAR AREA. SO ALREADY THE COMMUNITY HAS WON SOME CONCESSIONS, BUT HAD WE NOT CHALLENGED THIS, THOSE 19 TREES WOULD HAVE BEEN DEAD.

PLEASE INCLUDE, MS. ALMANZA, YOU'LL HAVE REBUTTAL TO FOLKS SPEAKING AFTER THIS.

I JUST WANT TO SAY WE HAVE TO ADHERE TO THE

NEIGHBORHOOD PLANNING TEAM PROCESS. THANK YOU.

THANK YOU, MS. ALMANZA. SO COUNCIL, NOW AT THIS TIME WE'LL HEAR FROM FOLKS WHO WOULD LIKE TO SPEAK IN SUPPORT OF MS. ALMANZA'S APPEAL AND WE'LL CALL ON MS. YOUNG. WELCOME, MS. YOUNG. YOU'LL HAVE THREE MINUTES. YOU CAN APPROACH EITHER PODIUM. IS THERE ANY OTHER CITIZENS WHO WISH TO SPEAK IN SUPPORT OF THE APPEAL? THANK YOU. WELCOME, MS. YOUNG. YOU HAVE THREE MINUTES.

THANK YOU. GOOD EVENING, MAYOR, AND CITY COUNCILMEMBERS. MY NAME IS ABE LOUISE YOUNG AND I'M A RESIDENT AT THE INTERSECTION OF GOVALLE. I'M HERE TO REQUEST THAT THE PERMIT NOT BE APPROVED. I HAVE A PETITION THAT WAS SIGNED BY 13 HOUSEHOLDS ALONG FIESTA, GOVALLE AND LINDEN ALSO REQUESTING THAT THE PARKING LOT NOT BE APPROVED. INTERESTINGLY YOU'LL NOTICE THAT SOME OF THE SAME NAMES AND ADDRESSES ON THIS PETITION ARE ALSO ON THE PETITION THAT ACC SUBMITTED IN SUPPORT OF THE PARKING LOT. AND WHEN I ASKED PEOPLE WHY THEY HAD SIGNED THE ORIGINAL PETITION, THEY SAID, WELL, A POLICE OFFICER CAME BY WITH THIS PETITION AND SAID THIS WAS THE ONLY WAY TO GET THE CARS OFF OUR STREET. I CONSIDER THAT A DISINGENERAL USE METHOD OF GETTING COMMUNITY SUPPORT. WHO IS GOING TO SAY NO TO A POLICE OFFICER WITH A PETITION. WHAT THE RESIDENTS WANT IS A STREET THAT IS NOT FULL OF CARS, AND ONE OF THE REASONS THAT THIS IS IMPORTANT IS BECAUSE THIS IS A NEIGHBORHOOD THAT STILL LACKS THE BASIC SERVICES, SIDEWALKS. SO CHILDREN, PEOPLE WITH WALKERS AND WHEELCHAIRS, HAVE TO WALK IN THE STREET. WE WANT THE STREET ZONED FOR RESIDENTIAL PARKING ONLY, AND WE DO NOT WANT THAT PARKING LOT BUILT. THE LOT AT MILLENIUM YOUTH CENTER IS SUFFICIENT FOR THOSE PARKING NEEDS, AND IF OUR STREET WAS -- IF OUR STREETS WERE ZONED RESIDENTIAL ONLY, STUDENTS WOULD BE COMPELLED AND REQUIRED TO USE THE LOT AND THE SHUTTLE AS THEY ARE NOT NOW BECAUSE IT'S SIMPLY MORE CONVENIENT TO PARK ON OUR RESIDENTIAL STREETS. I WOULD REQUEST THAT WE ARE LOUD THE SAME DIGNITY AS MORE -- ALLOWED THE SAME DIGNITY AS MORE

AFFLUENT NEIGHBORHOODS. I WENT AROUND SPEAKING WITH EVERY NEIGHBOR. I WENT AROUND FOR A WEEK TALKING TO PEOPLE ON FIESTA, GOVALLE AND LINDEN. I SPOKE WITH RUDOLPH OH CASTILLO WHO REMINISCED OF RED TAIL HOX AND OWLS THAT HE HAS SEEN IN THAT AREA. MY NEIGHBOR REMEMBERS CATCHING HORNY TODAY'S WHICH ARE NOW ENDANGERED ALONG THAT TRIBUTARY AND I MYSELF HAVE WALKED THERE AND ENJOYED IT. ENVIRONMENTAL ISSUES ASIDE, IF THE CITY COUNCIL DOES APPROVE THIS PARKING LOT, WE WOULD LIKE TO ASK THAT CERTAIN CONDITIONS BE OBSERVED, AND THE MOST IMPORTANT ONE TO PEOPLE IS THAT WE NOT LOOK OUT OF OUR FRONT DOORS AND WINDOWS AND SEE AN OCEAN OF ASPHALT AND CARS AND HAVE OUR HEARTS BROKEN THAT WAY. ESPECIALLY FOR PEOPLE WHO HAVE LIVED HERE FOR 40 YEARS OR MORE. SO IF THIS LOT IS APPROVED, WHICH I HOPE IT ISN'T, I HOPE THAT THE PLANNING BOARD WILL PROVIDE A VISUAL BUFFER OF A PRIVACY FENCE FRONTED BY BUSHES AND TREES AND ANY OTHER MEASURES THAT CAN BE TAKEN TO SAVE THE LARGEST NUMBER OF TREES THAT ARE THERE AND TO PROTECT THE BEAUTY OF OUR HISTORIC NEIGHBORHOOD. THANK YOU.

MAYOR GARCIA: THANK YOU, MS. YOUNG. AGAIN, ARE THERE ANY CITIZENS WISHING TO SPEAK IN SUPPORT OF MS. ALMANZA'S APPEAL? NOW WE'LL GO TO THE FOLKS SIGNING UP IN OPPOSITION TO THE APPEAL. WE'LL START WITH --

SLUSHER: I JUST WOULD BE CURIOUS, PROBABLY CAN'T ANSWER RIGHT OFF THE TOP OF THE HEAD, BUT IF THERE WAS A POLICE OFFICER CIRCULATING A PETITION DOOR TO DOOR.

MAYOR GARCIA: PERHAPS BY THE TIME WE HEAR THE TESTIMONY FROM THE FOLKS IN OPPOSITION TO THE APPEAL, I'LL GET AN ANSWER FROM SOMEBODY. THANK YOU, COUNCILMEMBER. WELCOME, MR. MANKATA.

GOOD EVENING, MAYOR, COUNCILMEMBERS. I'M HERE TONIGHT SPEAKING AS A CITIZEN AND AS AN ENVIRONMENTAL CONSULTANT. I'M SPEAKING IN SUPPORT OF THE ACC PARKING LOT EXPANSION, FOR THE HEALTH SCIENCE BUILDING NEARING COMPLETION. MY FAMILY,

SPECIFICALLY MY MOM AND DAD, STILL LIVE IN THIS NEIGHBORHOOD APPROXIMATELY FOUR BLOCKS FROM THIS PROPOSED -- OR FROM THIS EXISTING CAMPUS. THEY HAVE LIVED IN THE NEIGHBORHOOD 49 YEARS, AND THEY ALONG WITH MYSELF ARE VERY PLEASED FOR THESE IMPROVEMENTS IN THE AREA, INCLUDING THE LIONS GARDEN SENIOR HOUSING COMMUNITY BUILT FOR LOW INCOME SENIORS. FROM A SOCIAL ASPECT, ACC HAS AGREED TO PROVIDE SUPERVISED NURSING STUDENTS TO PERFORM HEALTH SCREENINGS ON SITE AND LOW COST TEETH CLEANING AND DENTAL EXAMS FOR THE CITIZENS THAT LIVE THERE. FROM A FINANCIAL ASPECT, I'M LOOKING AT OPPORTUNITIES FOR RESIDENTS IN THIS AREA TO CONTINUE THEIR EDUCATION, AND ACC HAS ALSO AGREED TO PROVIDE MEETING ROOMS FOR CIVIC AND NEIGHBORHOOD GROUPS TO MEET AT NO EXPENSE TO THEM. IN CLOSING, LISTENING TO MS. ALMANZA SPEAKING ABOUT A POTENTIAL FOR BUILDING UP MAYBE LOOKING AT A PARKING GARAGE VERSUS SURFACE PARKING, TO ME THAT WOULD CREATE MORE OF AN EYESORE. SO I FIND THAT TO BE A CONTRADICTORY STATEMENT. AND THIS WOULD MINE MIZE BUFERG OPPORTUNITIES THAT ARE BEING CREATED WITH THE REPLACEMENT OF THE WETLAND PLANNINGS THAT ARE FOUND IN THE TOM MILLER DITCH THAT ARE GOING TO BE REPLANTED IN THAT AREA. AND IN CLOSING FROM AN ENVIRONMENTAL ASPECT AND AS A PROFESSIONAL ENVIRONMENTAL CONSULTANT, WE HAVE NOW CREATED A CONTIGUOUS 50-FOOT BUFFER FOR THE WHOLE LENGTH OF THIS CHANNEL WHERE IN THE PAST THIS WAS BASICALLY AN AREA WHERE PEOPLE WERE COMING IN TO DUMP TIRES, BROKEN BOTTLES AND CRASH, AND NO ONE WAS DOING ANYTHING TO MAINTAIN THIS AREA. THANK YOU FOR YOUR TIME.

MAYOR GARCIA: THANK YOU. MS. MAY LEONARD, WELCOME. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY MATTHEW MURPHY.

GOOD AFTERNOON.

MAYOR: MS. LEONARD'S GOING TO BE AT THE FRONT TABLE. THANK YOU, SIR.

GOOD EVENING. I SAT HERE LISTENING TO THE NEGATIVE THINGS ABOUT THIS CAMPUS, AND I WAS ONE OF THE FIRST PERSONS TO START THE FIGHT FOR THE CAMPUS. AND I HAVE NOTHING BUT PRIDE IN WHAT ACC HAS DONE. AND WHEN I LOOK OUT AT THE PEOPLE, THE RESIDENTS OF THAT AREA AND THE PEOPLE THAT COME FROM MANY PLACES TO ACC, PEOPLE WHO HAVE NO HOPE, HAD NO OPEN EXCEPT WELFARE IN GREATER EAST AUSTIN. THEY NOW HAVE HOPE. AND ACC IS A SOURCE OF PRIDE. I HAVE A MEETING THERE FOR A COALITION OF NEIGHBORHOODS REPRESENTATIVES. YOU WERE IN THERE, MAYOR AND DANNY, AND WE'RE PROUD TO BE A PART OF THIS, AND WE'RE PROUD TO SEE YOUNG WOMEN WHO HAD NO HOPE FOR TOMORROW AT ACC. AND AS I LOOK ABOUT THE CAMPUS, I SEE NOTHING BUT ASSETS. THAT'S AN ASSET TO THAT COMMUNITY. AND STEPS HAVE BEEN MADE TO PREVENT ALL OF THE ENVIRONMENTAL PROBLEMS THAT HAVE COME UP. THAT I'VE HEARD SO FAR, THERE ARE PLANTS TO ERADICATE ANYTHING THAT GOES AGAINST THE COMMUNITY. AND WE ALL KNOW THAT WITH PROGRESS COMES A LITTLE INCONVENIENCE, BUT WE'RE NOT GOING FOR EMINENT DOMAIN. THIS IS ACC'S OWN PROPERTY THAT THEY ARE BUILDING ON. YOU CAN'T ASK ANY MORE THAN THAT. AND WE SUPPORT IT. AND IN 1996 I THINK THE MAYOR WAS HERE WHEN WE CAME BEFORE THIS COUNCIL, THE PEOPLE OF CENTRAL EAST AUSTIN, AND I SAID THAT THERE WOULD BE A TIDE COMING FROM EAST AUSTIN, THERE WILL BE A TIDE RISING, AND WE ARE FIGHTING FOR EQUALITY AND PEACEFUL -- A QUALITY AND PEACEFUL WAY OF LIFE, AND THIS CAMPUS IS ONE OF THE GREATEST CONTRIBUTIONS TO THAT THAT I'VE SEEN. I'VE SEEN PEOPLE THAT HAD NO HOPE WALKING NOW PROUD. THERE AT ACC. SCPI ASKED. I WAS ONE OF THE AMBASSADORS. I SAID, WE WANT HIGH-TECH. NOW, THE MECHANICS AND I DON'T -- I MEAN, AUTO MECHANICS AND COSMETOLOGISTS, ALL OF THIS IS GOOD. I HAVE NOTHING AGAINST THAT THAT'S NEEDED, BUT WE'RE IN THE WORLD OF HIGH-TECH, AND WE WANT SOMETHING AND WE'VE GOT IT. WE'VE GOT NURSE -- I AM A NURSE, AND I HAD TO GO TO SOME OF THE HIGH SCHOOLS OR GO THROUGH THE MAIL FOR CONTINUING ED. WE HAVE A NURSING SCHOOL NOW, AND I WAS SO PROUD MY. MY MOM WAS IN THE HOSPITAL AND THIS YOUNG LADY WAS JUST,

SHE WAS WHAT I WAS TAUGHT IN THE OLD SCHOOL TO DO. SHE WAS DOING IT. AND I HAD TO COMPLIMENT HER. SHE WAS A STUD ENTZE, AND SHE WAS IN TRAINING THERE -- STUDENT, AND SHE WAS IN TRAINING THERE AT BRACKENRIDGE HOSPITAL AND I SAID, SWEETHEART, I'M SO PROUD OF YOU IN THE MANNER IN WHICH YOU'RE DOING YOUR JOB. AND SHE SAID, I'M A STUD ENTD OF ACC. I SAID, YOU ARE? AND I WAS SO PROUD TO KNOW THAT WE WERE OUT THERE FIGHTING FOR THIS AND NOW WE HAVE IT IN THE COMMUNITY, YOU KNOW, AND TO SEE THEM BEING TRAINED. THIS IS NEEDED, AND WE NEED PARKING. WE DON'T WANT NOBODY TO TURN AROUND AND SAY THEY HAVE NOWHERE TO PARK. BECAUSE SOME OF THESE PEOPLE ARE WORKING. AND TIME IS OF AN ESSENCE. THEY HAVE GOT TO BE THERE FOR THEIR CLASSES AND ON TIME. AND WE DON'T WANT TO, BY NO MEANS, DETER THEM FOR WANT TO DO THIS BECAUSE OF SOMETHING LIKE PARKING. CHILDREN, EVERYTHING IS ON TIME, IN THEIR TIME. SO I AM FOR WHATEVER WILL HELP ACC, AND WITH PROGRESS COMES JUST A LITTLE BIT OF INCONVENIENCE, BUT THE RESIDENTS THERE ARE GLAD TO SEE THAT THE CARS WON'T BE BLOCKING THEM BECAUSE THAT'S A HASSLE FOR CARS TO BLOCK YOUR ENTRANCE AND YOUR FRONT AND ALL YOU'RE LOOKING AT IS OTHER PEOPLE'S CARS.

MAYOR GARCIA: OKAY. WELL, THANK YOU VERY MUCH. JUST THINK OF WHAT I SAID AND HALF THE PEOPLE THAT ARE TRYING TO HELP THEMSELVES. THANK YOU.

THANK YOU, MA'AM. WELCOME, MR. MURPHY. A COUPLE OF TIMES WANTED TO DONATE TIME TO YOU. JOE HERNANDEZ. WELCOME, JOE. AND SCOTT NAILER. IS SCOTT HERE? HELLO, SCOTT. MR. MURPHY, YOU'LL HAVE UP TO NINE MINUTES IF YOU NEED IT.

THANK YOU. GOOD EVENING. MY NAME IS MATT MURPHY. I'M A CONSULTING ENGINEER HERE IN AUSTIN. WE HAD THE PLEASURE OF BEING CIVIL ENGINEER ON THIS PROJECT FOR ACC, AS WELL AS THE CIVIL ENGINEER OF RECORD FOR THE HEALTH CAREERS BUILDING. FIRST I'D LIKE TO QUICKLY GO OVER AN OVERLAY HERE OF THE CAMPUS THAT I BROUGHT WITH ME JUST TO KIND OF ACQUAINT EVERYONE WITH THE AREA. THE CAMPUS IS 29 ACRES IN TOTAL SPACE, 10 ACRES

SOUTH OF GOVALLE, TO THE NORTH SIDE. THE 10-ACRE TRACT ON THE SOUTH SIDE IS WHERE THE HEALTH SCIENCES CAMPUS IS LOCATED. THIS IS WHERE THE PHASE 1 IS CURRENTLY BUILT AND IN OPERATION WITH -- WHICH HOUSES THE X-RAY TECH, PART OF THE DENTAL HYGIENE LAB, AS WELL AS NURSING FACILITIES AS WELL. ADD JACHT TO THAT IS PHASE 2 -- ADJACENT TO THAT IS PHASE 2 WHERE THE EXPANDED EMENT TRAINING WILL BE, ALSO ADDITIONAL NURSING, PHARMACY LAB AND OTHER PROGRAMS. AS PART OF THE 10-ACRE SITE PLAN, I WOULD LIKE TO POINT OUT, WE -- ACC DID SIGNIFICANT IMPROVEMENTS TO THE NEIGHBORHOOD, INCLUDING IMPROVEMENTS TO THE TOM MILLER DITCH WHICH IS LOCATED ON THE EASTBOUND PART OF THIS TRACT. THEY WIDENED THE CHANNEL TO FULLY CONVEY THE 100-YEAR FLOODPLAIN IN THE AREA WHICH WAS PREVIOUS TO THAT FLOODING MOST OF THE RESIDENCES ON THE WEST SIDE OF FIESTA, ALL ALONG THE CHANNEL, AS WELL AS UP STREAM OF THE CHANNEL AS WELL. WITH THESE FLOODPLAIN IMPROVEMENTS IN PLACE, AS WELL AS THE NEW CULVERT CROSSING HERE AT GOVALLE, WE WERE ABLE TO RELIEVE THE CONSTRICTION OF THE TOM MILLER DITCH WHICH MAIN WATERS COME FROM THE OAK SPRINGS BOND POND WHICH IS EAST OF THE ELEMENTARY SCHOOL ON GOODWIN AND OAK SPRINGS. >

NOW I WOULD LIKE TO ADDRESS THE POINTS IN THE APPEAL. POINT NUMBER 1 STATED THE PROPERTY WAS A CRITICAL ENVIRONMENTAL AREA, AND HAD BEEN REVIEWED PREVIOUSLY BY THE ENVIRONMENTAL BOARD AND RECOGNIZED OF AN IMPORTANT AREA FOR CREATING PROTECTION FOR THIS AREA. THE OAK SPRINGS WETLAND WHICH THEY REFER TO HISTORICALLY WAS LOCATED EAST OF THE OAK SPRINGS ELEMENTARY, AS I STATED PREVIOUSLY, NORTH OF GOODWIN, ADJACENT TO THE ELEMENTARY SCHOOL. THIS WETLAND AREA WAS ACTUALLY DESTROYED -- OR ACTUALLY REMOVED WITH THE CREATION OF THE OAK SPRINGS POND THAT THE CITY ERECTED FOR APPROXIMATELY 182 ACRES OF DRAINAGE AREA IN EAST AUSTIN. NO CRITICAL ENVIRONMENTAL FEATURES WERE LOCATED ON ACC'S PROPERTY, ON THE 10-ACRE TRACT OR THE 19-ACRE TRACT, AND THEREFORE THERE WAS ALSO NO

OTHER REASONS TO GO TO THE ENVIRONMENTAL BOARD, AS WELL AS NO VARIANCES WERE REQUESTED THAT REQUIRED THE RECOGNITION. ALL WAIVERS THAT WERE GRANTED WERE ADMINISTRATIVE. ALSO, MIKE LIEDAY WHO IS THE STIFF AUSTIN'S WETLAND SPECIALIST, I MET WITH NUMEROUS OCCASIONS ON BOTH THE SITE PLAN ON THE 10-ACRE TRACT AS WELL AS OUR NEW SITE PLAN FOR THIS PARKING. ITEM NUMBER 2 REFERS TO MEETING WITH THE REVIEW TEAM OF THE JOHNSON GOVALLE NEIGHBORHOOD PLANNING. CURRENTLY AS PART OF THE SITE DEVELOPMENT PROCESS, WE WERE NOT REQUIRED, NOR ADVISED THAT MEETING WITH THE NEIGHBORHOOD REVIEW TEAM WAS NECESSARY. HOWEVER, WHEN WE DID COME TO THE FIRST PLANNING COMMISSION MEETING, ACC DID ELECT TO HAVE A TWO-WEEK POSTPONEMENT IN ORDER TO MEET WITH PODER AND SOME OF THE NEIGHBORS TO DISCUSS THE ISSUES AT HAND AND AT THAT POINT IS WHEN WE, WITH THE HELP AND COOPERATION OF COMMISSIONERS MATT HOLLAND AND JAY REDDY WHICH WERE VERY HELPFUL IN HELPING US COORDINATE THESE ISSUES, ACC ELECTED TO ADD 10,000 SQUARE FEET OF ADDITIONAL IMPERVIOUS PAVERS TO THE PARKING LOT IN LIEU OF ASPHALT ALONG THE CHANNEL. WE ALSO MITIGATED THE LOSS OF 18 SPACES BY SAVING 19 ADDITIONAL TREES, AND WE ALSO DIRECTED MORE RUNOFF FROM THE PARKING LOT INTO THE TREE WELLS. ALL OF THIS AT AN ADDITIONAL COST TO THE PROJECT OF APPROXIMATELY \$200,000. ITEM NUMBER 3 DEALS WITH COMMUNICATION BETWEEN THE JOHNSON GOVALLE NEIGHBORHOOD PLAN AS WELL AS ACC AND ITS REPRESENTATIVES. THIS ISSUE ALSO DEALS A LOT WITH INTERDEPARTMENTAL COMMUNICATIONS WITHIN THE CITY, AND ALSO I WOULD LIKE TO NOTE THAT THE CAMPUS MASTER PLAN WAS DEVELOPED IN 1997 AND WAS PART OF THE 1997 SITE PLANS AND THEREFORE IT'S ON PUBLIC RECORD AND BEEN PUBLICLY AVAILABLE SINCE THAT DATE. ALSO TO ANSWER A PREVIOUS QUESTION ABOUT THE POLICE OFFICER COMING WITH PETITIONS, THE GENTLEMAN WHO WAS CIRCULATING WITH VARIOUS STAFF OF ACC IS AN ACC OFFICER. HE WAS OFF DUTY. HE WAS NOT IN UNIFORM. HE MERELY HAD ON HIS IDENTIFICATION BADGE AS MOST OF THE OTHER PEOPLE CIRCULATING WITH PETITIONS HAD ON THEIR ACC NAME TAG AS WELL. AND HE WAS ACTING AS A

VOLUNTEER AND OFF DUTY. AND I'D BE HAPPY TO ENTERTAIN ANY QUESTIONS YOU MIGHT HAVE.

MAYOR: THANK YOU, MR. MURPHY. LET'S SEE. OUR NEXT SPEAKER -- MAKE SURE I DO THIS CORRECTLY. OUR NEXT SPEAKER WILL BE DR. ROBERT GUERRERO. WELCOME, DR. GUERRERO. A NUMBER OF FOLKS HAVE SIGNED UP WISHING TO DONATE TIME TO YOU. IS TARA DUNCAN HALL STILL HERE? HELLO. AND JUANITA MENDEZ? JUANITA STILL HERE? AND HOW ABOUT BEN FERRELL? WELCOME, MR. FERRELL. SO DOCTOR, YOU'LL HAVE UP TO 12 MINUTES IF YOU NEED IT.

THANK YOU, MAYOR. I WON'T NEED THAT MUCH TIME. MAYOR WYNN, MEMBERS OF THE CITY COUNCIL, THANK YOU FOR THE OPPORTUNITY TO SPEAK BEFORE YOU TONIGHT. I AM THE PRESIDENT OF AUSTIN COMMUNITY COLLEGE, AND I SPEAK ON BEHALF OF ACC TONIGHT. I'VE NOW BEEN IN AUSTIN THREE MONTHS. IT IS GOOD TO BE HERE. IT'S A BEAUTIFUL CITY, AND I THINK WE HAVE A GREAT COMMUNITY COLLEGE SYSTEM. AUSTIN COMMUNITY COLLEGE, FIRST OF ALL, IS A COLLEGE WHOSE MISSION IS TO PROVIDE ACCESS TO HIGHER EDUCATION, TO ALL SEGMENTS OF OUR COMMUNITY. THE NAME ITSELF IMPLIES IMPLIES THAT WE ARE A COLLEGE THAT BELONGS TO THE COMMUNITY. WE ARE NOT A DEVELOPER. WE ARE NOT OUT TO DEVELOP EAST AUSTIN. THEREFORE OUR STRENGTH LIES IN SERVICE TO OUR COMMUNITIES BASED ON THREE IDEALS. FIRST OF ALL, WE'RE AN OPEN DOOR INSTITUTION, MEANING WE ASK PEOPLE TO COME IN AND PROVE THEMSELVES AS OPPOSED TO PROVING THEMSELVES AND THEN COMING IN. SECONDLY, WE ARE COMPARATIVELY INEXPENSIVE IN TUITION AND FEES. AND THIRDLY AND MOST IMPORTANTLY, WE ARE CLOSE TO HOME. THOSE ARE OUR STRENGTHS. BEING CLOSE IS THE CASE AT OUR EASTVIEW CAMPUS. THERE WAS GREAT SUPPORT IN EAST AUSTIN FOR ONE OF OUR CAMPUSES TO BE LOCATED THERE, AND THAT LOCATION, EASTVIEW, HAS BORNE OUT TO BE AN EXCELLENT ONE. WE NOW ENROLLED 2,800 STUDENTS THERE AND OVER HALF ARE STUDENTS OF COLOR. WE LOOK LIKE AUSTIN AT EASTVIEW. OUR WORKFORCE AND ACADEMIC PROGRAMS ATTRACT STUDENTS FROM ALL OVER THE GREATER AUSTIN AREA. WHILE APPROXIMATELY 35% OF

OUR STUDENTS LIVE IN CENTRAL EAST AUSTIN ZIP CODES, 60% DO COME FROM OTHER AREAS OF THE CITY AND THE COUNTY. APPROXIMATELY 80% OF OUR STUDENTS AT EASTVIEW ARE STUDENTS WHO DRIVE TO CAMPUS. OF OUR 2800 STUDENTS, ABOUT A QUARTER OF THEM, 26% PRECISELY, INDICATE TO US THAT THEY ARE COMING TO CAMPUS FROM WORK. WHILE WE WOULD LOVE FOR THEM TO TAKE THE BUS TO THE COLLEGE, THEY SIMPLY CANNOT SINCE THEY COME FROM WORK. ALSO, TWO THIRDS OF THE EASTVIEW CAMPUS STUDENTS ARE FEMALE, 68% PRECISELY, ARE FEMALE, FEMALES ATTENDING EASTVIEW CAMPUS. AND FOR SAFETY REASONS IT IS IMPORTANT THAT THEY BE ALLOWED TO PARK CLOSE TO THE CAMPUS. THE EASTVIEW CAMPUS HAS ALSO DEVELOPED INTO OUR FLAGSHIP CAMPUS FOR PROVIDING NURSING AND ALLIED HEALTH INSTRUCTION. WE PROVIDE TRAINING FOR NURSES, SO NOTHING RAFI TECHNICIANS, RADIOLOGY RAFI TECHNICIANS, AND A LONG LIST OF MANY OTHER ALLIED HEALTH PROFESSIONALS THAT ARE SO INCREASINGLY IMPORTANT TO OUR COMMUNITY. AGAIN, EASTVIEW CAMPUS, IN EAST AUSTIN, IS THE FLAGSHIP INSTITUTION FOR US IN TERMS OF NURSING AND ALLIED HEALTH INSTRUCTION. AS THE DEMAND FOR THOSE NURSES AND TECHNICIANS HAS GROWN, SO HAS THE NUMBER OF STUDENTS AT EASTVIEW, NOT SURPRISINGLY. WE HAVE PLANNED FOR THAT GROWTH AND AS THAT LONG-RANGE PLAN DEVELOPS FOR THE COLLEGE, WE HAVE PROCEEDED TO ADD A PARKING LOT TO THE CAMPUS, AND THAT IS THE ISSUE TONIGHT. IN BEING A GOOD COMMUNITY PARTNER, WE HAVE TRIED TO LISTEN TO ALL POINTS, TO ALL OUR NEIGHBORS REGARDING THE ISSUE. WE HEARD PODER'S CONCERNS THROUGH THE PLANNING COMMISSION AND MADE CHANGES TO THE PARKING LOT DESIGN PLAN SO THAT WE HAD A UNANIMOUS VOTE OF THE PLANNING COMMISSION ON THOSE CHANGES. WE'VE ALSO HEARD FROM OUR NEIGHBORS. YOU HAVE IN YOUR HANDS A PETITION SIGNED BY MANY OF OUR NEXT-DOOR NEIGHBORS WHO FAVOR OUR CONSTRUCTION OF THE PARKING LOT SINCE IT WILL ELIMINATE MUCH OF THE PARKING THAT IS CURRENTLY OCCURRING ON THE STREETS IN THE NEIGHBORHOOD. THE NEIGHBORS ALSO SUPPORT US BECAUSE WE'VE MADE MANY IMPROVEMENTS TO THE

DRAINAGE AND FLOOD PLAINS THAT USED TO AFFECT THEIR HOMES, AS YOU HEARD FROM ENGINEER MATT MURPHY. THEY ALSO SUPPORT US BECAUSE WE ARE REMOVING AN AREA THAT IS LITERALLY A DUMPING GROUND IN THEIR COMMUNITY. THAT'S A RECORD THAT WE HAVE FOR THE COMMUNITY. AS YOU'VE HEARD, THE CAMPUS WAS BUILT ON A DUMPING GROUND AND IT IS NOW A BEAUTIFUL PLACE OF INSTRUCTION. YOU ALSO HAVE IN YOUR HANDS A LETTER FROM THE JOHNSON TEAR RIS NEIGHBORHOOD ASSOCIATION WHO REPRESENT OUR NEXT-DOOR NEIGHBORS, ALSO INDICATING THEIR SUPPORT FOR US. AND FINALLY, YOU HAVE A LETTER FROM THE EDITOR OF THE VILLAGEER, THE LOCAL EAST AUSTIN NEWSPAPER WHO ALSO SUPPORTS THE PLAN. AS YOU CAN SEE, WE'VE LISTENED TO OUR NEIGHBORS. WE ARE GOOD NEIGHBORS. WE BELONG TO THAT COMMUNITY. AND FINALLY, I ASK YOU TONIGHT TO LET US GO FORWARD WITH CONSTRUCTION OF THE PARKING LOT. WITHOUT WHICH WE COULD NOT FULLY OPEN ALL PHASES, FULLY OPEN ALL PHASES OF THE HEALTH SCIENCES BUILDING WHICH IN TURN WILL ALLOW US TO FURTHER EXPAND ACCESS TO HIGHER EDUCATION IN EAST AUSTIN. BECAUSE WE ARE A COLLEGE THAT BELONGS TO THE COMMUNITY, IT TRULY AMAZES ME TO BE IN CONFLICT WITH PODER AND ANY OF OUR NEIGHBORS IN THAT COMMUNITY WHO I KNOW ARE HERE TONIGHT BECAUSE THEY ARE ALSO PASSIONATE ABOUT THEIR COMMUNITY, AS ARE WE. HOWEVER, I AM HERE TONIGHT BECAUSE I TRULY BELIEVE CONCERNING THE FUTURE OF AUSTIN, CONCERNING THE BIG PICTURE, I TRULY BELIEVE THAT THIS PARKING LOT WILL BENEFIT THE EASTVIEW CAMPUS AND MOST IMPORTANTLY ITS STUDENTS AND ITS NEIGHBORS. THUS, IT WILL BENEFIT EAST AUSTIN'S ECONOMIC DEVELOPMENT AND OF COURSE THE CITY OF AUSTIN AS A WHOLE. THANK YOU AGAIN, AND I WOULD TAKE ANY QUESTIONS FROM YOU.

MAYOR WYNN: THANK YOU, DOCTOR. QUESTIONS? I THINK WE'LL HAVE AN OPPORTUNITY FOLLOWING ALL THE INPUT.

THANK YOU SO MUCH.

MAYOR WYNN: THANK YOU, SIR. LET'S SEE. IS JOAQUINA FLORES CHRIST STILL HERE? WELCOME, MA'AM. YOU'LL

HAVE THREE MINUTES, AND YOU'LL BE FOLLOWED BY JAY RIVERA.

HELLO, MAYOR AND COUNCILMEMBERS. I'M HERE IN SUPPORT OF THE PARKING LOT THAT ACC HAS ASKED FOR. I'M A RESIDENT AND A BUSINESS OWNER IN EAST AUSTIN, AND I'M PROUD OF THE FACT THAT ACC IS IN OUR AREA, AND I WOULD LIKE TO SEE IT EXPAND BY THE CITY BEING CONDUCIVE TO HELPING US WITH THE PARKING LOT. ACC IS NEEDED HERE SO THAT PEOPLE IN THIS AREA CAN ATTEND COLLEGE AND CAN GET TO BE WHAT MOST PEOPLE HAVEN'T GOTTEN FROM THIS PART OF TOWN. PLEASE SUPPORT THE PARKING LOT AND THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MA'AM. JANE RI REAR A? WELCOME, JANE, YOU'LL HAVE THREE MINUTES. YOU'RE WELCOME TO USE THIS PODIUM HERE. YOU'LL BE FOLLOWED BY GILBERT RIVERA.

THANK YOU, MAYOR WYNN AND MAYOR PRO TEM GOODWIN AND MEMBERS OF THE CITY COUNCIL. FOR THE RECORD, DR. JANE RIVERA, 1,000 OAKS COURT. MY HUSBAND AND I HAVE LIVED AT THAT ADDRESS FOR ALMOST 20 YEARS NOW. I'VE SEEN A NUMBER OF YOU MANY TIMES AND I'M USUALLY UP HERE SAYING I'M AGAINST WHATEVER IT IS THAT'S ON THE AGENDA. I'M HERE TONIGHT TO SAY I'M FOR IT. WE ARE MEMBERS OF THE ROSEWOOD GLENN OAKS NEIGHBORHOOD ASSOCIATION, THE ROSEWOOD NEIGHBORHOOD PLANNING TEAM. MY HUSBAND WAS A FOUNDING MEMBER OF PODER, AND IT GRIEVES ME TO SAY ANYTHING AGAINST ANYTHING THAT THEY ARE SUPPORTING BECAUSE IT'S AN ORGANIZATION THAT DOES VERY FINE WORK FOR EAST AUSTIN, AND WE STRONGLY SUPPORT THEM, AND WE APPRECIATE THEIR EFFORTS TO IMPROVE THIS PARKING LOT PLAN VERY SINCERELY. BUT I DO WANT TO SAY, WE THINK ACC IS A GOOD NEIGHBOR. WE'RE THRILLED TO HAVE EASTVIEW IN OUR NEIGHBORHOOD. WE'RE PLEASED WITH THE FACT THAT THEY'RE OFFERING JOBS, THEY'RE OFFERING TRAINING, THEY'RE OFFERING VERY SPECIFIC PROGRAMS THAT ARE IMPORTANT FOR OUR IMMEDIATE NEIGHBORHOOD. THEY'VE BEEN GOOD NEIGHBORS. THEY HAVE LET, FOR EXAMPLE, THE ROSEWOOD NEIGHBORHOOD PLANNING TEAM MET AT ACC

EASTVIEW FOR THE FIRST SEVERAL YEARS THAT WE MET, AND THEY HAVE BEEN VERY SUPPORTIVE, VERY RESPONSIVE, AND THEY DO COME AROUND AND ASK FOR OPINIONS, AND THEY CAME AND ASKED US WHAT WE THOUGHT ABOUT THE PARKING LOT. AND YOU CAN'T REALLY ASK FOR A BETTER NEIGHBOR THAN THAT. SO WE APPLAUD THEIR EFFORTS. THANK YOU AGAIN TO PODER, AND WE URGE YOU TO PLEASE VOTE IN FAVOR OF THE REVISED PLAN FOR THE PARKING LOT.

MAYOR WYNN: THANK YOU. TECHNICALLY, JANE, YOU WERE ACTUALLY HERE IN OPPOSITION TO THE APPEAL. SO YOUR RECORD REMAINS PERFECT. THANK YOU. [LAUGHTER]. GILBERT RIVERA, WELCOME. YOU HAVE THREE MINUTES.

THE WAY THINGS ARE WORDED SO TIMES, IT SEEMS VERY CONFUSING. MY NAME IS GILBERT RIVERA. AS MY WIFE JANE STATED, WE LIVE PRETTY MUCH ACROSS THE STREET. WE LIVE ON PLEASANT VALLEY AND GLEN OAKS ACROSS FROM ACC. MY FAMILY HAS LIVED IN THE AREA FOR OVER 50 YEARS. WE WERE ORIGINALLY FROM 30 TANGO VALLEY AVENUE, A COUPLE OF BLOCKS SOUTH OF FIESTA. ACC HAS IN FACT BROUGHT, AND THE OTHER NEW HOUSING AND OTHER THINGS THAT ARE GOING IN HAVE BROUGHT A NEW LIFE, A NEW LIFE TO OUR COMMUNITY. IT HAS, IN FACT, FOR MANY, MANY YEARS DURING ALL OF OUR STRUGGLES TO SAVE OUR NEIGHBORHOODS ALONG WITH EVERYBODY ELSE, EAST AUSTIN WAS BECOMING MORE AND MORE BLIGHTED WITH MANY, MANY OF THE HOMES BEING -- MORE HOMES BEING TORN DOWN THAN BEING BUILT. IN THE LAST FEW YEARS WE'VE SEEN AN INCREDIBLE INCREASE IN ACTIVITY AS FAR AS IN-FILL HOUSING AND BUSINESSES COMING IN, ACC BEING ONE OF THEM. WE ARE, IN FACT, VERY SUPPORTIVE OF ACC. THE ROSEWOOD NEIGHBORHOOD PLANNING TEAM HAS BEEN LUCKY ENOUGH TO BE ALLOWED TO MEET AT THE CAMPUS. WE DO HAVE A NEED FOR MORE PARKING IN THE AREA BECAUSE LIVING IN THAT NEIGHBORHOOD, TRYING TO GET ON WEBBERVILLE ROAD IS INCREDIBLY DIFFICULT THESE DAYS. YOU'VE GOT WALL-TO-WALL CARS ON BOTH SIDES OF WEBBERVILLE ROAD. ANOTHER IDEA MAY BE ALLOWING PARKING JUST ON ONE SIDE OF WEBBERVILLE. YOU CANNOT SEE -- SEE STUDENTS CUTTING ACROSS CARS, AND THEY AREN'T

ACTUALLY VERY CLEARLY DESIGNED WALKING ZONES THAT PEOPLE SHOULD BE GOING THROUGH AND I THINK THAT IS VERY DANGEROUS OF WHERE THE PARKING IS NOW. HOPEFULLY THE PARKING LOT WILL ALLEVIATE SOME OF THAT. I DARE SAY IT WILL PROBABLY NOT ALLEVIATE ALL OF THE PROBLEM. SO THERE HAS TO BE MORE WORK DONE BECAUSE THERE WILL BE MORE PARKING, MORE CARS WILL STILL BE PARKING ON THE SIDES OF THE ROAD, ON BOTH SIDES. AND WE DO NEED TO MAKE SURE THAT WE ARE SAFE WHEN WE WANT TO CROSS THAT STREET. CHILDREN ARE ALSO LEAVING, AS WAS MENTIONED EARLIER, THERE'S AN ELEMENTARY SCHOOL THERE, HAVING TO RUN ACROSS THE STREET, RUN TO THE HOMES AT THE BOOKER T. WASHINGTON PROJECT OR RUN TO THE SINGLE FAMILY HOMES IN THE AREA, BETWEEN PARKED CARS, BUSES ARE GOING THROUGH THERE, CARS ARE GOING THROUGH THERE, TRUCKS. AND IT IS EXTREMELY DIFFICULT. AND TO MAKE THE POINT, ON THE CORNER OF WEBBERVILLE AND PLEASANT VALLEY ROAD, WHICH IS ABOUT A BLOCK FROM THE ACC CAMPUS, WE HAVE HAD TO HAVE LIGHTS PUT IN. BEFORE IT WAS JUST A FOUR-WAY STOP, AND THE REASON FOR THAT IS THE INCREDIBLE INCREASE IN CAR TRAFFIC. SO THAT IS A GOOD EXAMPLE OF HOW BAD THE PARKING AND TRAFFIC IS THERE. I DO AGREE THAT WE NEED TO HAVE SOME TYPE OF BUFFERS TO PROTECT THE NEIGHBORHOOD, FIESTA AND SO FORTH. I WOULD LIKE TO SEE INSTEAD OF RESPECTLY, AS -- RESPECTFULLY AS I MENTIONED, A WOODEN BARRIER, FENCE. THAT WOULD ULTIMATELY ROT AND LOOK PRETTY BAD. I THINK THE BEST THING WOULD BE NICE, LARGE, GREEN SPACE, TREES, BUSHES THAT WOULD PROTECT THE NEIGHBORHOOD FROM THE PARKING LOT, AND TO ME THAT WOULD BE EVEN BETTER THAN A PRIVACY FENCE. THANK YOU.

MAYOR WYNN: THANK YOU, MR. RIVERA. OUR LAST CARD IS ACTUALLY SIGNED BY VERONICA RIVERA. WELCOME. SHE SERVES AND THE ACC BOARD. SHE IS HERE TO ANSWER QUESTIONS IF COUNCIL HAS THEM. ALSO SIGNED UP AGAINST MS. ALMANZA'S APPEAL. SO COUNCIL, THAT'S ALL THE FOLKS WHO SIGNED UP EITHER SUPPORTING OR IN OPPOSITION TO MS. ALMANZA'S APPEAL. SO SUSANNA WILL NOW HAVE A THREE MINUTE REBUTTAL.

THANK YOU, MAYOR, AND CITY COUNCILMEMBERS. I JUST WANT TO MAKE IT 100% CLEAR THAT WE'RE NOT CHALLENGING THE IMPORTANCE OF ACC AS AN EDUCATIONAL INSTITUTION. I WANT TO MAKE THAT REAL CLEAR AND FOR THE RECORD, WE SUPPORTED THE ESTABLISHMENT AT THE ACC COMMUNITY COLLEGE, AND I DON'T WANT ANYONE GOING OUT OF HERE THINKING THAT WE'RE CHALLENGING THE NEEDS OF EDUCATION SYSTEM IN EAST AUSTIN. WE ALL KNOW THAT THE EDUCATION SYSTEM IN EAST AUSTIN IS SO POOR. JOHNSTON IS NOW ACADEMICALLY UNACCEPTABLE. MOST OF THE EAST AUSTIN SCHOOLS FARED SO LOW. SO I JUST WANT TO MAKE IT CLEAR THAT THIS ISSUE IS ABOUT THE ENVIRONMENTAL PROTECTION OF OUR GREEN SPACE VERSUS THE PARKING LOT. SO I WANT TO MAKE THAT REAL CLEAR FOR THE PEOPLE WHO ARE LISTENING AT HOME OR ON THE RADIO. THE OTHER THING WE'RE TALKING ABOUT WHEN WE SAID WE'RE ADDRESSING, THAT IT WOULD BE AN EYESORE IF ACC WAS TO BUILD THEIR PARKING GARAGE. WELL, ACC ALREADY IS HIGH-RISE. SO THERE'S NO CONTRADICTION THERE. THERE'S WAYS OF BUILDING A GARAGE TO MAKE IT LOOK VERY NICE IF IT'S IN. I SEEN IT AT THE UNIVERSITY OF TEXAS CAMPUS. ALSO, TOO, IF EAST AUSTIN HAD BEEN DUMPED ON AND OUR CHANNELS WERE BEING DUMPED, IT'S BECAUSE IT WAS BEING NEGLECTED BY THE CITY OF AUSTIN, AND IT WASN'T BEING CLEANED AND ADDRESSED AS OTHER ENVIRONMENTAL PLACES THROUGHOUT AUSTIN. THE ACC CAREER HEALTH CENTER WAS TO BE PARTNERED WITH JOHNSTON HIGH SCHOOL BUT INSTEAD IT WENT TO A NEW HIGH SCHOOL. I WANT TO SEE THAT HEALTH CAREER CENTER CURRICULUM BACK. IT NEEDS TO BE AT JOHNSTON HIGH SCHOOL, NOT IN WEST AUSTIN. HERE IT IS IN EAST AUSTIN, YET EVERYTHING'S GOING TO WEST AUSTIN. AND EVEN THOUGH THIS THREE PHASE WAS ON RECORD SINCE 1997, WE ASKED THAT ANY FUTURE DEVELOPMENTS BE BROUGHT BEFORE THE GOVALLE JOHNSON PLAN. THE ACC CAMPUS IS NOT IN THE ROSEWOOD NEIGHBORHOOD PLAN. IT IS IN THE GOVAL JOHNSON TERRACE NEIGHBORHOOD PLAN AND IF WE ARE SUPPOSED TO ADHERE TO THE NEIGHBORHOOD PLAN, WOULD YOU ALL PUT IN PLACE, THEN WE HAVE TO MAKE SURE THAT THE PROCESS IS FOLLOWED AND THAT ANY DEVELOPMENTS OR ANYTHING THAT'S

COMING GOES BEFORE THE JOHNSON GOVALLE TERRACE NEIGHBORHOOD PLAN PROCESS. THAT NEEDS TO HAPPEN. ALSO, THE AREA MUST BE DESIGNATING WHERE THE PARKING AREA ALONG THE SIDE STREETS, ONCE THE PARKING LOT IS MADE, I'M SURE YOU ARE GOING TO PASS IT, THAT WE WANT TO MAKE SURE THAT IT IS DESIGNATED AS THE RESIDENTIAL AREA AND THAT THE CARS NOT BE ALLOWED TO PARK ALONG WEBBERVILLE ANYMORE, ALONG THE FAMILY STREETS, THE RESIDENTIAL STREETS AND THAT IT BE A LAW, AND THAT THERE BE A LAW TO FORCE PARK INNING THAT AREA. AND THAT ALSO IF IT RUNS OVER, THEY NEED TO PARK THERE'S NO USE HAVING THE CONTRACT AND HAVING CAPITAL METRO EMPTY AND HAVING THAT AVAILABLE. SO I ASK YOU TO PLEASE LOOK IN PASSING THAT TO MAKE SURE THAT THEY KNOW LONGER ARE ALLOWED TO PARK ON THE RESIDENTIAL AREAS AND REZONE THAT AS RESIDENTIAL STREETS. THANK YOU SO MUCH.

MAYOR WYNN: THANK YOU, MS. ALMANZA. COUNCIL, THAT CONCLUDES THE FORMAL PROCESS OF THIS APPEAL, PUBLIC HEARING. I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER THOMAS. SECOND BY COUNCILMEMBER SLUSHER. ALL HOSE IN FAVOR OF CLOSING THE PUBLIC HEARING, PLEASE SAY AYE. OPPOSED? PUBLIC HEARING IS CLOSED. BY A VOTE OF 7-0. QUESTIONS? OF STAFF? OR NEIGHBORS? COUNCIL? COMMENTS? COUNCILMEMBER ALVAREZ?

THANK YOU, MAYOR. I HAD QUESTIONS FOR STAFF ON THE WHOLE ISSUE OF THE NOTIFICATION AND PROCESS AND I GUESS WHEN THE NEIGHBORHOOD PLAN WAS COMPLETED AND WHEN THIS PROJECT WENT FORWARD AND WHAT OUR RULES WOULD BE IN TERMS OF NOTIFYING THE CONTACT TEAM AND WAS THE CONTACT TEAM ASSEMBLED WHEN THIS PROCESS WAS INITIATED. [PLEASE HOLD FOR CHANGE IN CAPTIONERS].

Alvarez: SO WHAT HAPPENS THEY GET SOMETHING MAILED TO THE CHAIR I SUPPOSE OR THE PRESIDENT.

YES. THE CHAIR. THE CHAIR IS NOTIFIED AND THEN AS WITH -
- WITH OTHER NEIGHBORHOOD ORGANIZATIONS OR -- OR ORGANIZATIONS THAT RECEIVE NOTICE, THE BURDEN IS ON

THEM TO CONTACT THE APPLICANT TO ARRANGE A MEETING IF THEY HAVE CONCERNS.

THEN -- FINALLY AS PARTS OF THE NEIGHBORHOOD PLAN PROCESS, THE ZONING FOR THIS PARTICULAR PIECE OF LAND, FOR THIS TRACT OF LAND WAS CHANGED FROM G.O. TO P, I BELIEVE. IS THAT CORRECT?

THAT'S CORRECT.

AND BECAUSE I DON'T REMEMBER US HAVING THIS DISCUSSION -- LIKE ANY KIND OF DISCUSSION REALLY ABOUT -- ABOUT THE HEALTH SCIENCES BUILDING. BUT THEN I THINK THAT GOT STARTED BEFORE, YOU KNOW, THE CHANGE IN ZONING POSSIBLY. BUT THEN WHAT'S THE RULE ON THAT IF -- YOU KNOW IF IT'S ZONED P VERSUS GO?

AS PART OF THE NEIGHBORHOOD PLAN THE PROPERTY WAS ZONED P PUBLIC AND IF THE PROJECT, THE SITE PLAN IS MORE THAN ONE ACRE, IT REQUIRES A CONDITIONAL USE PERMIT IN P ZONING. IT WOULD NOT HAVE REQUIRED A CONDITIONAL USE PERMIT IN GO ZONING.

OKAY. THANK YOU.

FURTHER QUESTIONS? COUNCIL? MAYOR PRO TEM?

Goodman: THIS IS A GEORGE QUESTION. WE DID A RESIDENTIAL ONLY PLAN OR PROGRAM OVER IN ANOTHER UNIVERSITY NEIGHBORHOOD, DO WE KNOW WHAT IT -- WHETHER IT WAS SUCCESSFUL OR NOT? AND HAVE OTHERS DONE IT --

MAYOR PRO TEM, THERE ARE SEVERAL PROGRAMS OF THAT TYPE, RESIDENTIAL PARKING PERMIT PROGRAMS IN THE U.T. AREA. I -- I DON'T KNOW EXACTLY WHAT THE EVALUATION HAS BEEN DONE OF THOSE PROGRAMS BUT THEY HAVE BEEN IN PLACE FOR SEVERAL YEARS. BEFORE -- BEFORE INSTITUTING A PROGRAM LIKE THAT, THE -- THE PUBLIC WORKS DEPARTMENT WOULD REQUIRE THAT -- WOULD SURVEY THE PROPERTY OWNERS AND MAKE SURE THAT THEY ARE IN FAVOR OF SOMETHING LIKE THAT AND THAT -- THAT THEY ARE -- A VERY HIGH PERCENTAGE ARE

REQUIRED TO AGREE TO THAT BEFORE IT IS IMPLEMENTED AND THERE IS A FEE, ALSO, TO PARTICIPATE IN THAT PROGRAM.

Goodman: OKAY. IF NOT THAT, THEN WE COULD HAVE RESIDENTIAL -- WE HAVE DONE THIS BEFORE, I KNOW, RESIDENTIAL PARKING ONLY SIGNS BETWEEN CERTAIN HOURS.

THAT IS ON THE NEIGHBORHOOD PERMIT, PARKING PERMIT PROGRAM.

Goodman: I'M SAYING WITHOUT GOING THROUGH ALL OF THE PERMIT KIND OF THING, HAVING YOUR STICKER, HAVING TO GIVE IT OUT TO WHO YOU ARE GOING TO LET PARK --

THE ONLY OTHER TYPE OF -- OF A PROGRAM LIKE THAT THAT I'M AWARE OF WOULD BE TO PROHIBIT ALL PARKING DURING CERTAIN HOURS. IN ORDER TO PROHIBIT PARKING OTHER THAN RESIDENTS THEY WOULD HAVE TO PARTICIPATE IN THE RESIDENTIAL PERMIT PROGRAM.

Goodman: THAT DOESN'T SOUND LOGICAL. THAT'S OKAY. OKAY. THIS OTHER ONE MAY BE A -- AN A.C.C. QUESTION. I ALSO PARKED ON THE STREET WHEN I WENT OVER THERE BECAUSE I WAS AFRAID OF -- OF GETTING TOWED AWAY BECAUSE I DIDN'T HAVE A PERMIT. IS THERE -- WAS THAT JUST PARANOIA ON MY PART OR -- YOU HAVE TO HAVE A PERMIT TO -- TO PARK? GOOD EVENING, MY NAME IS TYRA DUNCAN HALL, PROVOST AT EASTVIEW CAMPUSES, WE DO REQUIRE PARKING PERMITS FOR ALL OF OUR STUDENTS, IT COSTS \$10. WE DO NOT TOW CARS THAT ARE IN THE LOTS UNLESS THEY ARE PARKED ILLEGALLY IN RED ZONES OR HANDICAPPED PARKING SPACES, ET CETERA. SO I THINK COUNCILMEMBER YOU WOULD HAVE BEEN SAFE THERE NOT BEING TOWED. BUT WE DO HAVE THAT PROBLEM IN TERMS OF -- OF ADVOCATE SPACES FOR PEOPLE TO PARK.

OKAY. MAYBE WE NEED TO TALK ABOUT SOMETHING THAT HAS A VISITOR -- VERY VISIBLE VISITOR.

WE HAVE -- THESE ARE PARKING SPACES, BUT THEY ARE NOT ENOUGH IN NUMBER. WE HAVE VISITOR PARKING

PERMITS THAT WE ISSUE TO ANY OF OUR VISITORS. THERE ARE -- THEY ARE AVAILABLE IN THE CAMPUS MANAGER'S OFFICE OR AVAILABLE AT OUR CAMPUS POLICE OFFICES.

WELL, THAT WOULD WORK DURING HOURS OF OPERATION BUT NOT -- NOT WHEN YOU GO TO A MEETING OR SOMETHING.

WELL, WE ARE IN OPERATION FROM 7:00 A.M. IN THE MORNING UNTIL 10:00 F.M. AT NIGHT. AND MANY WITH WEEKENDS. WE HAVE CLASSES ON WEEKENDS AS WELL.

OKAY.

I DIDN'T SEE ANYBODY IN THE OFFICE WHEN I WAS OVER THERE.

I WILL BE HAPPY TO HELP YOU WITH IT ANY TIME. I KNOW THAT YOU CAME OFF INTO THE -- OFTEN TO THE CHILD DEVELOPMENT PROGRAM THERE.

Goodman: OKAY.

Mayor Wynn: THANK YOU MAYOR PRO TEM. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER ALVAREZ?

Alvarez: YOU HAVE A FEW MORE ISSUES RAISED BY PODER, I THINK THERE'S A GENTLEMAN THAT WAS -- THAT EITHER DID ENGINEERING OR DESIGN WORK ON THE -- ON THE PROJECT WHO SPOKE -- I'M SORRY, I DIDN'T REMEMBER YOUR NAME? PAT MURPHY? BECAUSE I KNOW ONE OF THE ISSUES WAS -- YOU KNOW, THE CONCERNS WAS ABOUT NOT BEING NOTIFIED ABOUT -- ABOUT WHAT WAS HAPPENING, YOU KNOW, WITH THIS PARTICULAR APPLICATION. BUT -- BUT THERE WAS ULTIMATELY AN OPPORTUNITY FOR -- FOR A.C.C. TO MEET WITH PODER IN BETWEEN THE TIME THAT -- THAT THEY WENT TO -- IS IT PLANNING COMMISSION? PLANNING COMMISSION FOR THE FIRST TIME.

BETWEEN THE FIRST AND SECOND PLANNING COMMISSION.

AND THEN CAME BACK FOR -- FOR AN ACTUAL VOTE. BUT ONCE YOU HAD AN OPPORTUNITY TO MEET WITH

REPRESENTATIVES OF PODER, THEN NOW -- WHAT EXACTLY WAS DONE THERE? I THINK THEY RAISED CONCERNS ABOUT -- ABOUT LANDSCAPING AND TREE PRESERVATION AND -- AND CERTAINLY THE WETLANDS PROTECTION. I DON'T KNOW THAT YOU CAN TRY TO ADDRESS THOSE ISSUES IF YOU CAN.

BASICALLY BEFORE PLANNING COMMISSION, THE SITE PLAN WAS REVIEWED FOR THE APPROPRIATE BUFFERING AND LANDSCAPING, THE PROJECT WAS IN FULL COMPLIANCE, ALL OF THE TRAFFIC ISLANDS ARE PLANTED WITH SHADE TREE VARIETIES, BUFFERING ALONG ALL RESIDENTIAL PROPERTY, ALSO ALONG GOVALLE AND INVOLVING TREES, SHRUBS, GRASSES. WET LAND MITIGATION ALREADY APPROVED AND DISCUSSED WITH THE ENVIRONMENTAL REVIEWERS OF THE CITY STAFF, THAT INCLUDED BASICALLY ONCE THE CHANNEL WAS REGRADED TO FULLY CONTAIN THE 100 YEAR FLOOD, THE CHANNEL WOULD BE REGRADED AND SLOPED AND PLANTED WITH TEXAS NATIVE WETLANDS PLANTS. SHRUBS, TREES, CHANNELS AS WELL. AS FAR AS ALONG LINDEN STREET AND AROUND THE -- WHAT WOULD BE THE EASTERN MOST PROPERTY BOUNDARY OF THAT TRACT, THERE WILL BE A PRIVACY FENCE PUT UP AS WELL. IN ADDITION TO THE LANDSCAPE BUFFERING. AND -- AND ONCE WE WENT TO PLANNING COMMISSION, WHAT WAS ADDED ON TOP OF THAT WAS THE 10,000 SQUARE FEET OF IMPERVIOUS PAVING ALONG THE CHANNEL. WE DID REARRANGE SOME PARKING, LOSING 18 SPACES TO SAVE A GROVE OF ESSENTIALLY 18 BETWEEN CLASS ONE AND CLASS 4 TREES ON THE SITE. THEN DO THE EXTRA FILTRATION. THE TREES THAT WE SAVED INITIALLY ON SITE WERE THE HEALTHIEST, MOST VIBRANT OF ALL TREES ON THE SITE, WERE ALL CLASS 1 MAINLY ELMS AND SOME COTTON WOOD TREES. THE MAJORITY OF THE TREES ON THE SITE ARE CLASS 4, IN NOT VERY HEALTHY OF A STATE.

DO YOU MIND POINTING THOSE OUT ON THE MAP? >>>>
SURE.

THERE'S A MAP HERE ALREADY, I THINK. BUT WE CAN BRING THE OTHER ONE AS WELL.

MR. MURPHY IS PROUD OF HIS OWN MAPS.

THE CITY HALL NUMEROUS TIMES, I HAVE TOTED THIS HERE NUMEROUS TIMES.

[INDISCERNIBLE] THE TREES IN QUESTION THAT WE SAVED AFTER MEETING WITH PLANNING COMMISSION, IS THIS GROVE OF TREES IN HERE. THIS AREA WAS REARRANGED IN ORDER TO -- TO SAVE THIS GROUP OF TREES AS WELL AS THE ADDITIONAL TREE HERE, ADD JUST SENT TO THIS VERY LARGE ELM AND PECAN, AS WELL AS THIS TREE HERE ALONG THE CHANNEL. WE ALSO SPLIT AN ISLAND IN THE SPACE TO AREA HERE IN ORDER TO PICK UP AN EXTRA TREE THERE AS WELL. THESE ARE THE TREE WELLS AND AS WELL AS THESE THREE OVER HERE THAT ALL WILL BE DIFFERENT AREAS OF THE RUNOFF WILL BE DIRECTED INTO THAT TO ALLOW ADDITIONAL INFILTRATION. IN ADDITION THE IMPERVIOUS PAVERS ARE ALL ALONG THE PARKING CHANNEL. HALF OF THE SITE IS SHEET FLOWED TOWARD THE CHANNEL, THEREFORE THE PAVING WILL ACT AS WATER QUALITY INFILTRATION, ALLOW IT TO SEEP IN, BE FILTERED BEFORE DISCHARGE.

THEN THERE'S ALSO SOME TREES YOU WERE ALREADY GOING TO PRESERVE, IS THAT ALONG THE -- THE ISSUE OF THE LANDSCAPE BUFFER AND HOW IT --

THERE'S VERY LARGE TREES HERE IN THE CORNER. THAT WAS POINTED OUT ON SEVERAL SLIDES, I BELIEVE. THESE ARE SOME LARGE PECAN AND ELM TREES HERE. THESE ARE REMAINING. THE DRIVEWAY ACTUALLY LINES UP WITH FIESTA STREET. IT DOES NOT LINE UP WITH ANY HOUSE OR OTHER STREET. IT LINES UP WITH THE STREET. FIRST CITY -- AS PER CITY CODE. ALL OF THIS AREA ALONG GOVALLE HERE AS WELL AS ALL ALONG THE PROPERTY LINE HERE WILL BE RECEIVING EXTRA BUFFERING AS WE ARE ADD JAYS SENT TO SF-3 RESIDENTIAL HOUSING. ALSO ADDITIONAL BUFFERING ALONG THE CHANNEL HERE TO SCREEN THE PARKING FROM THE REST OF THE CAMPUS AS WELL. THEN ALL OF THE DIFFERENT ISLANDS AND -- WILL RECEIVE PLANTING AS WELL.

WHAT ELSE ARE WE DOING ON THE BUFFER BETWEEN THE SINGLE FAMILY HOMES AND THE PARKING LOT. I KNOW THAT

YOU -- THAT YOU WERE PRESERVING EXISTING TREES.

WE ARE PRESENTING --

WHAT KIND OF LANDSCAPING ARE WE DOING?

BASICALLY WE ARE -- I BELIEVE IT'S A LINE OF BALD CYPRESS, WITH ADDITIONAL SHRUBS, UNDERGROWTH AND SOME GRASSES. THAT WILL BE IN ADDITION TO THE FENCE THAT WILL BE ALSO ERECTED ALONG THAT LINE AS WELL.

THERE WILL BE A FENCE?

CORRECT, AN 8-FOOT PRIVACY FENCE.

OKAY. THAT'S WHAT -- I GUESS ONE OF THESE SUGGESTIONS, ONE OF THE SPEAKERS.

RIGHT. THERE WILL BE A FENCE INSTALLED ALONG THAT. APPROXIMATELY A THOUSAND FEET OF FENCING IN THIS PROJECT.

OKAY. FINALLY A -- I BELIEVE THERE'S ANOTHER SWATH OF LAND THAT YOU -- THAT A.C.C. OWNS? JUST TO THE -- JUST ENDS UP BEING, WHAT, SOUTH?

CORRECT. NORTH. SO -- SO, YEAH. I'M -- BELOW WHERE YOU SHOW THE PARKING LOT RIGHT THERE, WHAT IS -- WHAT IS THE PLANS FOR THAT? OR WAS THAT ORIGINALLY PART OF THIS -- PART OF THIS PARKING PROPOSAL IN THE FUTURE PHASE, WHAT -- WHAT IS PROPOSED FOR THAT LAND AND HOW BIG IS IT?

THE AREA -- THAT -- THE AREA THAT YOU ARE MENTIONING, JUST BELOW THE PHASE 2 PARKING HERE, APPROXIMATELY 1 11.2 ACRES, SET ASIDE BY A.C.C. AS A FUTURE COMMUNITY GARDEN THROUGH THE VARIOUS MEETINGS WITH A.C.C. AND THE -- AND THE SURROUNDING NEIGHBORS, THERE'S BEEN A REQUEST FOR A COMMUNITY GARDEN IN THE AREA. WE ACTUALLY REARRANGED THE PARKING IN THIS AREA TO ALLOW AN AREA TO BE SET ASIDE THAT COULD BE EASILY SEPARATED FROM THE PARKING AREAS AND USED FOR FUTURE USE FOR THE COMMUNITY. AND IT WOULD HAVE

EASY ACCESS OFF OF LINDEN STREET AS WELL.

OKAY. THAT'S ALL, MAYOR.

THANK YOU, COUNCILMEMBER. BY THE WAY, I'M VERY ENCOURAGED THAT A FORMER MAYOR CAN GET A DITCH NAMED AFTER HIM. [LAUGHTER]

THERE'S HOPE FOR ME AFTER ALL. FURTHER COMMENTS, QUESTIONS? BEFORE I ENTERTAIN A MOTION, ON A MORE SERIOUS NOTE, I DO WANT TO -- AS A -- AS A PRECAUTION, I JUST WANT TO FOR THE RECORD STATE THAT MY OLDEST BROTHER HAPPENS TO BE A COP AT A.C.C. NOT AT THIS CAMPUS AS FAR AS I KNOW. JUST WANTS TO MAKE SURE THAT'S PUBLIC KNOWLEDGE. I HAVE LOOKED AT THE RULES AND THERE'S NO REASON FOR ME TO THINK THAT I NEED TO RECUSE MYSELF ON THIS PARTICULAR VOTE, BUT I DO HAVE THAT RELATIONSHIP. FURTHER COMMENTS, QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. 46. THIS CONSIDERATION OF AN APPEAL.

MAYOR, JUST BEFORE --

Mayor Wynn: COUNCILMEMBER THOMAS?

Thomas: I WILL MAKE THE MOTION, BUT DID WE CONFIRM FROM STAFF ABOUT THE SIGNS THAT MS. SUZANNE THAT WAS TALKING ABOUT? I DON'T KNOW. IS IT POSSIBLE THAT THOSE SIGNS CAN BE PUT THERE?

Goodman: WHAT GEORGE WAS SAYING, IF I CAN --

Mayor Wynn: MAYOR PRO TEM?

Goodman: BEFORE HE TALKS, LET ME TELL YOU WHAT GEORGE SAID. [LAUGHTER] HE SAID THAT YOU COULDN'T DO OR SEEMED TO BE SAYING THAT YOU COULDN'T DO THE SIGNS WITHOUT -- WITHOUT THE WHOLE PROGRAM AND THAT'S -- THAT'S A COMPLICATED AND -- AND COSTLY KIND OF THING WHICH I DON'T WANT TO IMPOSE ON THE NEIGHBORS TO TRY TO -- THERE ARE STICKERS AND LITTLE THINGS THAT YOU PUT ON YOUR CAR WINDOW AND STUFF. AND I DON'T SEE WHY WE CAN'T HAVE THE SIGNS. THAT SAY

RESIDENTIAL ONLY PARKING. WITHOUT HAVING THE REST OF THE PROGRAM.

AND WHAT'S THE -- WHAT SHE WANTED A PLACE TO SIGN, WAS IT ON WEBBERVILLE OR GO AHEAD, SUZANNA ASKED?

MY UNDERSTANDING THEY WANTED THE SIGNS ON BOTH STREETS. FIESTA, ALSO. WOULD IT BE POSSIBLE TO PROHIBIT PARKING AT ALL TIMES FOR EVERYONE ON THOSE STREETS IF YOU WANTED TO DO THAT. YOU CAN PROHIBIT PARKING FOR CERTAIN HOURS FOR ANYONE. THE PROBLEM IS TO PROHIBIT PARKING ONLY FOR THE RESIDENTS THERE HAS TO BE SOME WAY TO IDENTIFY WHO THE RESIDENTS ARE WHO ARE ALLOWED TO PARK THERE SO THAT VIOLATIONS CAN BE CITED AND THE WAY THAT WE HAVE TO DO THAT IS THE RESIDENTIAL PERMIT PARKING PROGRAM. BUT IT --

[INDISCERNIBLE]

IT WOULD BE POSSIBLE TO -- FOR THE PUBLIC WORKS DEPARTMENT TO LOOK INTO THE -- INTO THAT SITUATION AND CONSIDER PUTTING UP SIGNS ONCE THE PARKING LOT IS COMPLETED. IF THAT IS THE WILL OF COUNCIL.

PART OF MY MOTION WOULD BE -- I'M READY TO MAKE A MOTION THAT I WOULD MAKE A MOTION THAT WE -- THAT WE DENY THE APPEAL AND IN THE PROCESS OF ONCE THE GARAGE IS COMPLETED MAKE A RECORD THAT WE WORK WITH THE -- WITH THE NEIGHBORHOOD ABOUT SIGNS, BUT ALSO WOULD ASK THAT A.C.C. STRESS, PUT A LOT OF STRESS ON MAKE WALKING IN [INDISCERNIBLE] IF THEY STILL HAVE THAT CONTRACT.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS TO DENY THIS APPEAL, WITH ADDITIONAL INSTRUCTION TO STAFF TO WORK WITH THE NEIGHBORS AND A.C.C. ON MISCELLANEOUS PARKING ISSUES. SECONDED BY COUNCILMEMBER SLUSHER. MAYOR PRO TEM?

Goodman: CAN I ASK ONE MORE THING? ON MR. MURPHY'S MAP, DO YOU HAVE THAT DESIGNED WHERE PEOPLE ARE GOING TO BE PARKING TOWARDS RESIDENTIAL

STRUCTURES? OR IS THAT --

FACING --

THEY WILL NOT BE PARKING TOWARDS HOUSING, HOUSING ALONG LINDEN, THAT IS ACTUALLY THE ACCESS DRIVEWAY INTO THE -- DRIVE INTO THE PARKING LOT. LIMITED FACING GOVALLE, ALL OF THOSE SPACES WILL BE SCREENED. I CAN COUNT THEM. FIVE. NONRESPONSIVE

IF SOMEONE HAS A QUESTION FOR MS. YOUNG, I THINK SHE MIGHT WANT TO --

I WILL ALLOW IT.

MS. YOUNG?

OH -- THEIR PRIVACY FENCE THAT WAS DESCRIBED IS I BELIEVE ONLY ALONG LINDEN, NOT ALONG GOVALLE, WHICH IS A BEAUTIFUL, WIDE AVENUE. AND I WONDER IF ANY KIND OF PRIVACY FENCE OR EXTRA BUFFER COULD BE CREATED ALONG GOVALLE, ALSO I SAW THAT THE EXIT ALLOWS CARS TO EXIT ON TO FIESTA STREET WHICH IS A VERY TINY THREE BLOCK RESIDENTIAL STREET. AND I WONDER IF THAT CAN BE MADE A ONE-WAY STREET SO THAT IT'S DO NOT ENTER FOR THOSE HUNDREDS OF CARS EVERY DAY THAT WOULD BE COMING DIRECTLY OUT OF THE PARKING LOT, IF THEY COULD GO EITHER WAY ON GOVALLE AND NOT JUST FLOOD DOWN FIESTA, TONS OF OLD PEOPLE, LITTLE KIDS, AGAIN NO SIDEWALKS. THANK YOU.

WELL, YOU COULD --

THANK YOU, MS. YOUNG.

Goodman: BLESS YOU, MAYOR.

Mayor Wynn: THANK YOU.

Goodman: YOU COULD HAVE LIKE TURN IN ONLY AND TURN LEFT ONLY RATHER THAN MAKING THE WHOLE STREET ONE WAY. ARE YOU MAKING FUN OF ME?

Slusher: NO, NO. WE'RE -- HE WAS BRINGING UP LAST WEEK'S THING ABOUT THE PORK CHOP.

Goodman: OH.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Goodman: COULD WE LOOK INTO THAT?

Mayor Wynn: I THINK STAFF AND A.C.C. WILL TAKE THAT DIRECTION.

Slusher: THAT WOULD BE INCLUDED IN YOUR MOTION, COUNCILMEMBER.

I HAVE NO PROBLEM. THAT CAN WORK WITH A.C.C.

Mayor Wynn: I SEE SOME HEADS NODDING.

Slusher: I JUST WANT TO SEE IT'S REALLY GREAT TO SEE THE NEIGHBORHOOD TO TURN OUT TO SUPPORT THEIR NEIGHBOR, A.C.C., SEE THAT THINGS ARE GOING SO WELL, IT REALLY IS INSPIRING TO HAVE A.C.C. THERE. I ALSO WANTED TO NOTE THAT PODER'S APPEAL DID RESULT IN MAKING A BETTER PROJECT AND SAVING A NUMBER OF FREES IN THE AREA -- TREES IN THE AREA.

Mayor Wynn: THANK YOU, FURTHER COMMENT? COUNCILMEMBER ALVAREZ?

Alvarez: JUST -- ALONG THOSE LINES I DID -- I DID, YOU KNOW, WANT TO STUDY IT CAREFULLY TO MAKE SURE THAT WE HAVE GOT A GOOD HANDLING ON ALL OF THE ISSUES AND YOU KNOW THERE WAS A MIXUP, POSSIBLY ON THE NOTIFICATION IN TERMS OF MAYBE SOMEBODY NOT RECEIVING THE NOTIFICATION BUT I KNOW THAT THE PLANNING TEAMS HAVE BEEN RECONSTITUTED AND THE LAST FEW MONTHS, SO -- SO THAT MAY HAVE HAD SOMETHING TO DO WITH IT. BUT CERTAINLY I'M HAPPY THERE WAS AN OPPORTUNITY FOR PODER TO VISIT WITH A.C.C. AND -- AND REALLY AGAIN AS COUNCILMEMBER SLUSHER ALLUDED TO, TO IMPROVE UPON THE DESIGN AND SAVE YOU KNOW, WHAT ARE SOME VERY SIGNIFICANT

TREES AND -- AND IN SECURING THE ADDITIONAL IMPERVIOUS PARKING, THEY CAN HELP. SO I DO WANT TO THANK EVERYONE FOR THEIR PARTICIPATION, FOR COMING OUT THIS EVENING. AROUND ALSO I DO WANT TO ONE MORE TIME WELCOME DR. AGUERO TO THE COMMUNITY, CERTAINLY HAPPY TO HAVE YOU AS WELL AND LOOK FORWARD TO WORKING WITH YOU IN THE FUTURE.

THANK YOU, COUNCILMEMBER, A MOTION AND A SECOND ON THE TABLE TO DENY THIS APPEAL, BUT WITH SOME INSTRUCTIONS TO STAFF AND REQUEST OF A.C.C. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. MAYOR PRO TEM?

WE SHOULD LOOK INTO CHANGING THE NAME OF THE DITCH.

Mayor Wynn: I LIKE THIS -- PRECEDENT IS SET.

IT'S REALLY PRETTY. [INDISCERNIBLE]

Mayor Wynn: COUNCIL THAT TAKES UP BACK TO THE HEARING FOR MISCELLANEOUS FULL PURPOSE ANNEXATION, I BELIEVE -- ACTUALLY, TELL YOU WHAT, BEFORE WE GO TO THE ANNEXATION PUBLIC HEARINGS, MY UNDERSTANDING IS ON ITEM NO. 47, CONSIDER ACTION TO AN APPEAL BY MELTON WEST OF THE PLANNING COMMISSION'S DECISION TO DENY A COMPATIBILITY HEIGHT WAIVER, ONE CITIZEN SIGNED UP, ALTHOUGH HE'S REQUESTING A POSTPONEMENT, AN AID AN ADJACENT NEIGHBOR WHO WE HAVE GOTTEN TO KNOW THROUGH THIS PROCESS. SO MR. ZAPALAC, PERHAPS IF YOU CAN INTRODUCE WHETHER STAFF WOULD BE IN AGREEMENT WITH THIS POSTPONEMENT?

YES, MAYOR, THE REQUEST IS BY MR. ROBERT FLOYD WHO IS A NEIGHBOR OF THE APPELLATANT, REQUESTING THAT THE ITEM BE POSTPONED TO A MEETING IN NOVEMBER. COUNCIL HAS TWO MEETINGS IN NOVEMBER, THE 4th AND

THE 18th. SO IT WOULD BE EITHER OF THOSE DATES. AND STAFF IS NOT OPPOSED TO POSTPONEMENT AND MY UNDERSTANDING IS THAT THE NEIGHBORHOOD ASSOCIATION ALSO DEGREES.

GREAT. COUNCIL WE HAVE A REQUEST FOR POSTPONEMENT OF ITEM NO. 47. FOR A COUNCIL MEETING IN NOVEMBER, THE 4th OR 18th 18th, I'LL ENTERTAIN A MOTION.

Slusher: I WILL MOVE FOR THE 4th.

Mayor Wynn: MOTION BY COUNCILMEMBER SLUSHER TO POSTPONE ITEM NO. 47 TO NOVEMBER 4th, 2004. I WILL SECOND THAT. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM, 7-0, MS. BROWN, THANK YOU.

Slusher: MAYOR, I WOULD ALSO MOVE TO POSTPONE 45 UNTIL THE 21st. I THINK MR. BENNETT IS UNDER THAT UNDERSTANDING ALREADY FROM EARLIER IN THE WEEK.

I'M SORRY, COUNCILMEMBER, HAS THERE BEEN A REQUEST FOR THAT?

I -- IT'S MY REQUEST ACTUALLY BECAUSE THE STAFF -- I ASKED THE STAFF, WE HAVE ABOUT 15 PUBLIC HEARINGS, THEY SUGGESTED TO POSTPONE THAT. I THINK THEY CONTACTED BOTH SIDES EARLIER IN THE WEEK.

Mayor Wynn: OH, HAD THEY?

UH-HUH.

OKAY.

I'M SORRY, WHAT IS THE POSTPONEMENT DATE, COUNCILMEMBER? THE.

THE NEXT MEETING, IT WOULD BE THE 21st.

OKAY. MOTION MADE BY COUNCILMEMBER SLUSHER, SECONDED BY COUNCILMEMBER MCCRACKEN TO POSTPONE ITEM NO. 45 TO OCTOBER 21st, 2004. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. OKAY. THANK YOU ALL. THAT TAKES US BACK TO MR. LUKENS' PUBLIC HEARINGS ON FULL PURPOSE ANNEXATION. WELCOME, SIR.

THANK YOU, SIR. I WILL GROUP THESE AS RIGHTS OF WAY ANNEXATIONS, FIRST ONE IS 290 ED BLEWSTEN.

CAN YOU MOVE THE MICROPHONE CLOSER TO YOU. SO WE'VE GOT SEVERAL OF THESE RIGHTS OF WAY, THE FIRST ONE OF THESE, ED BLUESTEIN U.S. 290, THIS ONE WE HAVE ACTUALLY POSTED AND HAD THE FIRST HEARING, BUT IT TURNS OUT THAT THE -- I BELIEVE THE DESCRIPTIONS AREN'T WHAT WE HOPED THEM TO BE. WE ARE GOING TO HAVE TO DO THIS AGAIN NEXT YEAR. YOU CAN SEE HOW THAT THE INTENT IS TO -- TO BRING IN THE INSIDE OF THAT -- OF THAT INTERSECTION BACK INTO THE CITY LIMITS FOLLOWING THIS RECONSTRUCTION. THE NEXT ONE THE FULL PURPOSE ANNEXATION ALUM ROCK RIGHT-OF-WAY. IN THIS INSTANCE YOU CAN SEE HOW THAT'S THE -- THE PURPOSE IS TO PICK UP THIS ADDITIONAL SEGMENT. NEXT BURLESON ROAD RIGHT-OF-WAY. YOU CAN SEE THAT THIS ONE FIXES ONE OF THESE IN-OUT SITUATIONS. ALONG BURLESON ROAD IN THE CITY LIMITS, OUT OF THE CITY LIMITS SITUATION. NEXT ONE IS THE FULL PURPOSE ANNEXATION OF THE CANYON CREEK WEST STRIP. THIS STRIP ACTUALLY WAS -- PROVIDES FOR EMERGENCY ACCESS TO AN APARTMENT WE ANNEXED LAST YEAR, WAS INADVERTENTLY LEFT OFF OF THE LEGAL DESCRIPTION. EXCUSE ME. NEXT ONE IS THE FULL PURPOSE ANNEXATION OF DESSAU ROAD RIGHT-OF-WAY, YOU CAN SEE AGAIN HOW THAT FIXES THE SITUATION WHERE -- WHERE WE HAVE IN-

OUT SITUATION. NEXT ONE IS POSTED AND -- SO WE ARE HAVING IT, BUT IT'S -- IT'S ANNEXATION OF A PIECE OF -- OF PARKING LOT WHICH WE WERE GOING TO GIVE FOR EMERGENCY SERVICES PURPOSES, TURNS OUT THAT THAT SEGMENT, THAT PIECE OF LAND IS ACTUALLY WELLS BRANCH M.U.D., SO WE ARE NOT GOING TO BE ABLE TO CORRECT THAT SITUATION, WE ARE NOT GOING TO BE ANNEXING THAT. I'M NOT LOOKING AT THE ONE -- PARMER 290 EAST, IS A SITUATION WHERE WE'VE GOT A -- WE WERE ANNEXING THE RIGHT-OF-WAY FOLLOWING THE RECONSTRUCTION OF PARMER LANE TO BRING THE ENTIRE RIGHT-OF-WAY BACK INTO THE CITY LIMITS. THE LAST OF THESE IS -- IS -- SHOULD BE SOUTHWEST PARKWAY RIGHT-OF-WAY. AND AGAIN THIS FIXES AN IN-OUT SITUATION ALONG RIGHTS OF WAY WHERE -- WHERE WE WERE IN A SITUATION WHERE ROADS WERE BUILT AND -- AND DIDN'T QUITE FOLLOW THE -- THE INTENDED -- THE ORIGINALLY INTENDED ALIGNMENTS WHERE REPAIRS WERE MADE OR IMPROVEMENTS. ESSENTIALLY THIS IS THE SECOND PUBLIC HEARING FOR THESE AREAS AND WE'LL HAVE -- WE'RE SCHEDULED, IF YOU ALL ARE SCHEDULED FOR -- FOR THE ANNEXATION ORDINANCE ON THE 28th. ESSENTIALLY WE TAKE OVER FROM THE COUNTY FOR THE SERVICES THAT THEY PROVIDE AND WE PROVIDE ADDITIONAL AND ENHANCED SERVICES TO THE AREA AND OF COURSE THESE ARE ALL RIGHTS OF WAY. SO THAT'S -- THAT'S IT FOR THOSE RIGHTS OF WAY. IF YOU HAVE ANY QUESTIONS, I WILL BE GLAD TO -- TO ADDRESS THEM. NEXT ONE IS AN ACTUAL -- NEXT ONE IS -- SHOULD BE THE NELSON AREA AND THE NELSON AREA IS A -- THIS IS THE SECOND OF TWO PUBLIC HEARINGS AND THE -- IN THE CASE OF NELSON THIS IS A -- THIS IS A 165-ACRES, AND IT INCLUDES A PROPOSED 800 LOT SUBDIVISION AND SEVERAL OTHER TRACTS, WHICH AS YOU CAN SEE ARE ALREADY PARTIALLY INSIDE THE CITY LIMITS. IT'S ABOUT -- SO ESSENTIALLY HERE WE PROVIDE SERVICES TO THE AREA, TAKE OVER FROM THE COUNTY FROM FOR WHAT THEY DO, PROVIDE ADDITIONAL ENHANCED SERVICES WHICH ARE NOT PROVIDED. THAT CONCLUDES THE NELSON AREA. THE NEXT ONE IS -- OVERCAST. OVERCASH IS A PIECE OF PROPERTY THAT WAS PART OF THE PIONEER HILL -- AN OUTPARCEL WITH PIONEER HILL, BECAUSE -- BECAUSE OF A -- OF AN -- OF A TRANSCRIPTION ERROR THE LEGAL

TRANSCRIPTION WAS LEFT OUT, WE NEEDED TO GO AHEAD AND FOUND THIS AND -- YOU KNOW, REVIEWING SOME PREVIOUS WORK AND CAN'T BE HAVING THESE SORTS OF ISOLATED ISLANDS IN THE IF YOU THE CITY LIMITS BEFORE GOING BACK AND ANNEXING IT AGAIN. PIONEER HILL IS UNDEVELOPED. WE WILL BE TAKING OVER FROM WHAT THE COUNTY DOES AND PROVIDING ADDITIONAL ENHANCED SERVICES NOT OTHERWISE AVAILABLE. THAT'S PIONEER -- EXCUSE ME, THAT OVERCASH. THE LAST ONE OF THESE IS -- IS THE GREEN SHORES AREA, GREEN SHORES IS APPROXIMATELY 177-ACRES IN SIZE BETWEEN THE CITY'S EMMA LONG PARK AND THE EXISTING CITY LIMITS ALONG LAKE AUSTIN. THE AREA INCLUDES APPROXIMATELY 06 PLOTTED SINGLE FAMILY LOTS, 66 SINGLE FAMILY LOTS WHICH RECEIVED PRELIMINARY PLAN APPROVAL AND TO THIS POINT I THINK THEY ARE ABOUT 8 SINGLE FAMILY HOMES UNDER CONSTRUCTION. THEY ARE SHOWN ON THE -- ON THE MAP WITH THE DOTS. TO THIS DATE THE AREA HAS NO RESIDENCE. THE AREA IS TOTALLY WITHIN A [INDISCERNIBLE] CERTIFICATE OF CONVENIENCE AND NECESSITY HELD BY THE DEVELOPER, MOST OF THE AREA WITHIN WATER CCNS.

IN AN AREA FOR ANOTHER ENTITY WHICH HOLD THE CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THAT SERVICE. THE SERVICE PLAN PROVIDES FOR THE EXTENSION OF FULL MUNICIPAL SERVICES TO THE AREA AT A LEVEL EQUAL TO WHAT IS PROVIDED IN THE AREA OF THE BALANCE OF THE CITY. THE SERVICE PLAN IS DIVIDED INTO THREE SECTIONS, EARLY ACTION PLAN, WHICH INCLUDES SERVICES SPECIFICALLY CALLED OUT OF THE ANNEXATION STATUTE, ADDITIONAL SERVICES WHICH INCLUDE OTHER MUNICIPAL SERVICES WHICH THE CITY PROVIDES AND THE CAPITAL IMPROVEMENTS SECTION. EARLY ACTION INCLUDES THE POLICE, IN THIS INSTANCE THE A.M. WILL PROVIDE POLICE SERVICES TO THE AREA, CURRENTLY PATROL F.M. 2222 AND CITY PARK ROAD IN THE IMMEDIATE VINCE COMMUNITY. THE SOLE ACCESS IS THROUGH CITY PARK ROAD. CITY WILL HAVE A CONTRACT WITH ESD 4 FOR FIRST RESPONDER SERVICES AND EFD WILL ALSO RESPOND TO CALL. [INDISCERNIBLE] CONTRACT WITH TRAVIS COUNTY, THE CITY WILL HAVE TO CONTRACT WITH THE E.M.S. 4 FOR

FIRST CONTRACT FOR FIRST -- FOR E.M.S. FIRST RESPONDER SERVICES. WITH ESD 4. SOLID WASTE SERVICE, THE CITY WILL PROVIDE SOLID WASTE SERVICES, AT THIS TIME THERE ARE NO RESIDENTS IN THE AREA. THE MAINTENANCE OF WATER AND WASTEWATER FACILITIES, AS WE SAID THE AREA IS CO-TERM NEWS WITH THE BOUNDARY OF THE PRIVATE WASTEWATER UTILITY WITH A CERTIFICATE OF CONVENIENCE AND NECESSITY. THE OWNER OF THIS SYSTEM HAS THE AUTHORITY AND RESPONSIBILITY TO OPERATE AND MAINTAIN WASTEWATER FACILITIES WITHIN THE CCN AREA. MOST OF THE PROPOSED ANNEXATION AREA [INDISCERNIBLE] BOUNDARIES OF OAK SHORES WATER SYSTEM WHICH HAS A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY OR GROWNSHORES WHICH ALSO A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY FOR ITS SERVICE AREA. THE OWNERS OF THESE SYSTEMS HAVE THE AUTHORITY AND RESPONSIBILITY TO OPERATE AND MAINTAIN WATER FACILITIES WITHIN THEIR CCN AREA. WATER SERVICES TO NEW DEVELOPMENT OUTSIDE OF THESE CCN'S CAN BE PROVIDED BY THE AUSTIN WATER UTILITY IN ACCORDANCE WITH THE CITY'S SERVICE EXTENSION POLICY. MAINTENANCE OF ROADS AND STREETS INCLUDING STREET LIGHTING, STREET AND BRIDGE DIVISION OF PUBLIC WORKS, MAINTAIN PUBLIC STREETS IN WHICH THE CITY HAS JURISDICTION. AND IF NECESSARY THE TRANSPORTATION DIVISION WILL ALSO PROVIDE REGULATORY SIGNAGE SERVICES IN THE ANNEXATION AREA. STREET LIGHTING WILL BE MAINTAINED BY ELECTRIC UTILITY IN ACCORDANCE WITH THE CITY'S POLICY. MAINTENANCE OF PARKS, PLAYGROUND AND SWIMMING POOL. AT THIS TIME THERE ARE NO [INDISCERNIBLE] IN THE ANNEXATION AREA. PRIVATE AND AREA AMENITIES THAT ARE PRIVATELY MAINTAINED WILL BE UNAFFECTED. ADDITIONAL SERVICE PROVIDED INCLUDE WATERSHED PROTECTION DEVELOPMENT AND REVIEW, DRAINAGE MAINTENANCE SERVICES IN THE AREA, THESE OF COURSE AS YOU KNOW ARE FEE BASED SERVICES, DEPARTMENT OF AUSTIN WILL PROVIDE THE RANGE OF DEVELOPMENT REVIEW AND WATER QUALITY AND FLOOD CONTROL SERVICES PROVIDED IN THE BALANCE OF THE CITY. THE LIBRARY RESIDENTS WILL BE ABLE TO UTILIZE ALL FACILITIES OF THE PUBLIC LIBRARY FOLLOWING THE

ANNEXATION. THERE ARE OF COURSE AT THIS TIME NO RESIDENTS. AUSTIN HEALTH AND HUMAN SERVICES DEPARTMENT, TRAVIS COUNTY HEALTH DEPARTMENT, FOLLOWING ANNEXATION WITH THE CITY WILL TAKE OVER FROM THE COUNTY AS WELL AS PROVIDING ADDITIONAL ENHANCED SERVICES NOT OTHERWISE AVAILABLE. AUSTIN ENERGY AE WILL CONTINUE TO PROVIDE ELECTRIC UTILITY SERVICE TO THE AREA. ANTI-LITTER SERVICES, THE AUSTIN SOLID WASTE SERVICES WILL PROVIDE ANTI-LITTER SERVICES, A FEE BASED SERVICE. CAPITAL IMPROVEMENTS PROGRAM, AT THIS TIME NO CAPITAL PROJECTS ARE REQUIRED TO PROVIDE CITY SERVICES TO THE GREENSHORES ANNEXATION AREA. THAT CONCLUDES MY PRESENTATION, I'M AVAILABLE TO ANSWER ANY QUESTIONS, VARIOUS STAFF MEMBERS TO ANSWER QUESTIONS AS WELL.

WELL DONE, MR. LUKENS. QUESTIONS? COUNCIL? COMMENTS? ANY CITIZENS WHO WOULD LIKE TO SPEAK ON THESE PUBLIC HEARINGS, SEVEN RIGHTS OF WAY ANNEXATIONS AND THREE TRACT ANNEXATIONS? HEARING -
-

[INDISCERNIBLE]

IF YOU WOULD HAVE COME TO A PODIUM -- HAVE YOU SIGN ADD CARD, BY CHANCE?

NO.

WHY DON'T YOU GO AHEAD AND SPEAK AND BE SURE THAT YOU SIGN A CARD WITH THE CITY CLERK'S OFFICE BEFORE YOU LEAVE. WELCOME.

THANK YOU.

MY NAME IS SPENCER STEVENS, I AM A RESIDENT NEAR THE OAK SHORES SYSTEM OR THE -- THE GREEN SHORES DEVELOPMENT THAT'S BEING PROPOSED TO BE ANNEXED. MY QUESTION WAS TO THE GENTLEMAN IS WHO -- WHO IS GOING TO BE TAKING OVER THAT WATER SYSTEM? BECAUSE RIGHT NOW IT'S A PRIVATE WATER SYSTEM AND IT DOES SERVICE ABOUT 45 HOMES DOWN THERE. AND I'M ASSUMING

THAT THE RESIDENTS THAT EXIST DOWN THERE WILL NOT BE AFFECTED BY THE ANNEXATION BUT THAT IS A WATER SYSTEM THAT WOULD BE PROVIDING THOSE SERVICES.

GOOD QUESTION, SIR, MR. LUKENS.

SIR, THIS IS A PRIVATE WATER SUPPLY CORPORATION WITH A CCN, WE HAVE -- THIS ANNEXATION SHOULD NOT AFFECT THAT CCN AND SHOULDN'T AFFECT THE RESIDENTS OF THAT SERVICE AREA.

FOLLOW-UP QUESTION.

YES, SIR.

THE DEVELOPER OF THE GREEN SHORES PROPERTY HAD INTENDED TO INSTALL A MUD THERE TO PAY FOR HIS CAPITAL IMPROVEMENTS. WILL THAT MUD CONTINUE ITS PLANS. IF HE SHOW CHOOSE TO FORM THAT WATER SYSTEM INTO A M.U.D.

THE CITY HAS DENIED CONSENT TO THE CREATION OF THE M.U.D. WHEN THE DEVELOPER WENT TO THE WATER COMMISSION, EXCUSE ME THE TCQ TO GET CCN, HE -- HE INTIMATED THAT HE WAS -- HE HAD FUNDING FOR -- NEVER MENTIONED A M.U.D. SO WE ARE ASSUMING THAT HE CAN CONTINUE THE -- HIS WATER UTILITY WITHOUT THE CREATION OF A M.U.D.

MR. LUKENS, IF YOU COULD, PERHAPS JUST OUTLINE SO THIS IS -- THIS IS THE SECOND PUBLIC HEARING ON MOST OF THESE ANNEXATIONS, CORRECT?

IS THE SECOND PUBLIC HEARING ON ALL OF THESE ANNEXATIONS. ON MOST OF THESE THIS WILL BE -- ON THE 28th WILL BE SCHEDULED FOR -- FOR ALL THREE READINGS AND FOR -- FOR -- I BELIEVE AT LEAST ONE OF THEM WILL BE SCHEDULED FOR FIRST READING ONLY. THIS GREEN SHORES.

SO IF WE DO THE FIRST READING ONLY, ON THE PROPOSED ANNEXATION OF THE GREENSHORES AREA, AUGUST, OCTOBER 28th, IT'S LIKELY IT'S -- IT'S PERHAPS SEVERAL

MONTHS LATER THAT THAT WOULD OCCUR.

THE WAY IT WORKS IS THAT YOU HAVE TO TAKE -- YOU DO FIRST READING, UP TO 90 DAYS TO COMPLETE IT. 90 DAYS FROM OCTOBER THE 28th, WHICH I THINK IS IN -- IN JANUARY. SO I -- I BELIEVE WHAT THAT TELLS US IS THERE'S PROBABLY GOING TO BE SOME CONTINUED NEGOTIATIONS AND DISCUSSIONS WITH THE DEVELOPER OF THAT AREA. THANK YOU,.

THANK YOU, SIR.

ANY OTHER CITIZENS THAT WOULD LIKE TO BE HEARD ON THESE PUBLIC HEARINGS, THE SEVEN RIGHTS OF WAY AND THREE TRACT FULL PURPOSE ANNEXATION PUBLIC HEARINGS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. -- HEARING NONE, I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARINGS. MOTION MADE BY THE MAYOR PRO TEM, I WILL SECOND. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU, MR. LUKENS.

YES, SIR.

Mayor Wynn: THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, I'LL ENTERTAIN A MOTION TO ADJOURN.

MOTION MADE BY COUNCILMEMBER THOMAS. SECONDED BY COUNCILMEMBER SLUSHER. ALL THOSE IN FAVOR PLEASE SAY AYE?

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. 7:40 P.M.

End of Council Session Closed Caption Log

